

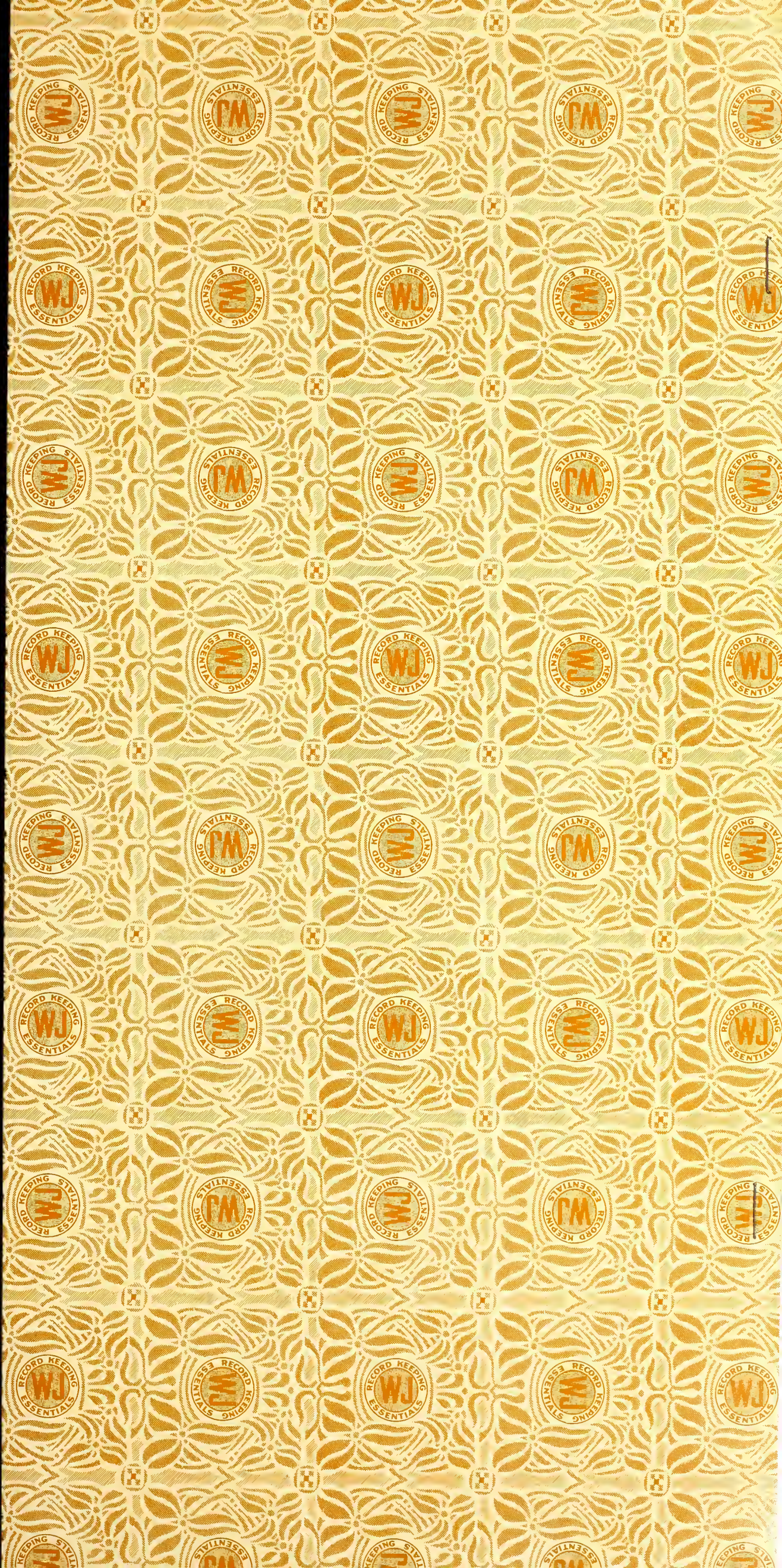


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FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
19 January, 2010

TIME: 4:00 p.m.

PLACE: County Commissioner's Court Room, 2nd Floor, City County Building
One East Main Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:03 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Judi Wire
Steve Corona

STAFF PRESENT: Greg Leatherman, Executive Director
John Wallace, Assistant Redevelopment Director
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet, Carson Boxberger

OTHERS PRESENT: Jim Kratzert, MSKTD

ALLOWANCE OF CLAIMS: Motion to allow Claims of November 2009 by Mr. Cox; seconded by Ms. Wire. Motion approved unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 21 December 2009 Regular Meeting by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously.

Paul Spoelhof – Proposal Presentation regarding bicycle racks on the Harrison Square Plaza at Webster Street.

Mr. Spoelhof stated that the Bike Fort Wayne Initiative was envisioned by Mayor Henry approximately 18 months ago is focused on making bicycle travel more convenient and secure. The Task Force that was put together by the Mayor has been proactive in placing bike racks Downtown and in other public locations. The Initiative encourages people to leave their cars in their garages occasionally and ride a bicycle for shorter trips. There have been bike route signs placed on the Reed Road leading to Downtown. The route winds through several residential streets in the northeast quadrant and eventually will connect to Shoaff Park. Those signs will be expanded throughout Fort Wayne over the next few years as well as infrastructure improvements put in place. There is an opportunity to expand the bike parking capabilities at Parkview Field. There were many people who rode bicycles to the TinCaps games during the initial season. The Stadium is well-outfitted with bike racks at the south plaza location. Those racks can accommodate approximately 50 bicycles; all the racks were being used at most games. Planning staff has approached the TinCaps about expanding their bike parking capacity and the management of the team is very enthusiastic. They identified the Jefferson entrance as a priority for establishing bicycle parking. Mr. Spoelhof and the team management have identified a place on the east wall of the north entrance near Jefferson. The staff believes that 9 to 12 racks can be installed at that location. By placing the racks there, interference with pedestrian access to the park and east/west traffic would be minimized. These racks will be funded by grant from the Northeast Indiana Regional Coordinating Council. The grant's intention is to mitigate air pollution and improve air quality. The installation will be paid for by the Community Development Department. Planning staff is beginning to map all the proposed bike routes and the map will be included in the Bike Fort Wayne Plan. The Plan will show corridors identified as bike routes and identify what kinds of facilities should be located nearby to accommodate cyclists and inform automobile drivers.

Bid Opening – Robert Goldstine Bridge Construction

Mr. Leatherman noted that recent underground utility discoveries have made additional investigation necessary, especially on the east side of Harrison closest to the Indiana Hotel. There is a possibility that some of those utility lines were not included in this bid package. If there are changes to be made, it will be handled as either an Addendum or a second bid. The changes might also be able to be handled by the City's Utility Department. All 13 bids were opened, read aloud and taken under consideration by Staff and the Architect. Completion of the Bridge needs to be achieved by July 1, 2010. A discussion of road closures ensued.

Election of Officers – Deferred until all Commissioners have been reappointed. City Council has made their appointments but the Mayor's Office has not contacted any of their appointees yet. When all appointments are complete, an election of officers will take place. Until then, all Officers will serve as elected in 2009.

NEW BUSINESS

Resolution 2010-01

Approving a contract for professional legal services with Carson Boxberger

Mr. Leatherman noted that the Contract with Carson Boxberger and John Wernet as counsel is entered into annually. The rate remains the same as in 2009. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2010-02

Approving funding for public infrastructure improvements in and serving the Washington Center Coldwater Road Economic Development Area

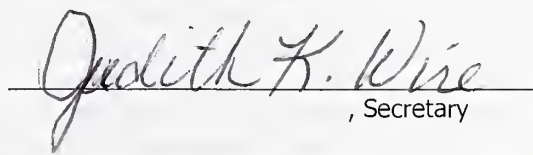
Mr. Leatherman stated that the Coldwater Crossing Plaza is the main funding entity generating tax increment for this Allocation Area. The Redevelopment Commission has been collecting a small amount of increment for the past few years in anticipation of funding some infrastructure improvements at the Washington Center and Dartmouth Drive intersection. The Redevelopment Commission has previously spent \$100,000.⁰⁰ for real estate acquisition and engineering studies. The City's Transportation Department wants to proceed with improvements in the Spring. The Redevelopment Commission has been asked to contribute \$150,000.⁰⁰ toward those improvements. The entire project, partially consisting of expanding the intersection to make it safer, will cost approximately \$1 million. Federal funding is available for a portion of the project. Ms. Wire asked that Dave Ross of Transportation Engineering give the Redevelopment Commission an overview of the project at the February meeting. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

OTHER BUSINESS

- **Barry Real Estate** – There have been rumors circulated concerning Barry Real Estate's reported foreclosure. There was a report in the Atlanta newspapers concerning a foreclosure on one of Barry's loans. Barry and the bank were in the middle of negotiating new terms for a loan when the bank was seized by the FDIC. Barry made contact with the bank that was given the assets of the first bank, and negotiations took place with the second bank in mid-December concerning the loan. The second bank agreed to new terms with Barry and there was no foreclosure. Lease negotiations continue with two potential tenants that would represent more than 50% of the two stories of the three story building. Mr. Leatherman stated that he has spoken with the potential tenants and both have assured him that the terms of the lease are being negotiated. All partners in the negotiations feel that the process will be successful and at that time Barry Real Estate will be able to get construction financing from some of the banks they have been discussing the funding with. The cost of the development is estimated to be between \$15M and \$16M. Before Barry will go to the banks for financing, they want leases in-hand. If Barry fully defaults on the contract with the Redevelopment Commission, staff would be free to negotiate with other developers and the new developers would be free to negotiate with the potential tenants. There are still people interested in purchasing a condominium and others interested when a start date for the project is announced.
- **Commemorative Plaque** – Mr. Leatherman revealed the final format of the Plaque that will commemorate the parties responsible for the successful planning and construction of Parkview Field. Both sets of Redevelopment Commissions, City Councils, Mayors and Deputy Mayors, Hardball Capital and others who played a role in the successful completion of the project. Diskey Sign has been engaged to fabricate the sign and will place it on the Harrison Square Plaza at Webster Street. There will be an unveiling of the plaque when the weather is better. The renovations to third floor of the Indiana Hotel will be unveiled on February 16 at 2:00 p.m.
- **Former Dimension Ford** – There will probably be two written responses by February 1, 2010 for the reuse of the former Dimension Ford building that was previously offered for purchase. The responses will be forwarded to the Redevelopment Commissioners. The Commissions will have a week to review them before the next meeting. Both of the responders have been given an invitation to come to the Redevelopment Commission on February 8 to make a presentation of what they intend to do with the 10,000 square foot building. After the presentations the Commissioners will then decide whether either or neither of those meets the expectations for the parcel. The clean-up of the east parcel is complete and topsoil is being spread to return the topography to grade. As soon as all work has been completed, the east parcel will be transferred the Parks Department.

ADJOURNMENT – Motion to adjourn by Mr. Cox; seconded by Ms. Wire. Meeting adjourned at 4:52 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION


_____, Secretary

Adopted: 8 February 2010



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FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
8 February, 2010

TIME: 4:00 p.m.

PLACE: City Council Chamber, Room 128, City County Building One East
Main Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:00 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Judi Wire
Steve Corona

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
John Wallace, Assistant Redevelopment Director
Gary Lyman, Brownfield Manager
Joanne Reising, Administrative Assistant
Tina Bultemeyer, Finance Manager – Community Development

COUNSEL PRESENT: John Wernet, Carson Boxberger

OTHERS PRESENT: John Hopkins, Sweetwater Sound

ALLOWANCE OF CLAIMS: Motion to allow Claims of December 2009 by Ms. Wire; seconded by Mr. Obergfell. Motion approved unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 19 January 2010 Regular Meeting by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously.

NEW BUSINESS

Resolution 2010-03

Approving a contract with Gerig-Ottenweller Contracting LLC for the Robert Goldstine/Embassy Theatre Skybridge/Walkway for the Harrison Square Mixed-use project

Mr. Lindsay reminded the Commissioners that at the January 19 meeting 13 bids were received for the project and taken under advisement. An earlier estimate of costs was approximately \$370,000.⁰⁰ which did not include some of the features the present design incorporates. The Architect and Staff have reviewed the bids and Mr. Lindsay noted bids ranged from a high of \$559,000.⁰⁰ to a low of \$398,000.⁰⁰. The recommendation is that Gerig Ottenweller be retained as the lowest and most responsive bidder at \$398,000.⁰⁰. They have worked on projects at Harrison Square and are familiar with the dynamic of Harrison Square. The estimated start date is on or about March 30 and estimated completion date is on or about July 1, 2010. Mr. Lindsay noted that there will be various intervals of time while the structural steel component of the construction is erected that Harrison Street will have to be closed to vehicular traffic. Mr. Leatherman stated that there are components of the construction dealing with the underground infrastructure that are not part of this bid. The first choice to complete those infrastructure improvements is the Water Utility Department. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2010-04

Approving a Brownfield Grant for Imagine Schools

Resolution withdrawn

Resolution 2010-05

Approving a Brownfield Grant for Broadway Christian Church

Mr. Lyman stated that Broadway Christian Church is considering the purchase of the former Harold's Carburetor adjacent to their property. They intend to use the building as a Youth Center and a Senior Outreach Center. At least one underground storage tank remains on the property so a Phase I and, probably, a Phase II, investigation is necessary. The Redevelopment Commission portion of the funding will come from the Brownfield CEDIT funds that are allocated to the Redevelopment Department each year. The maximum that the City would contribute to the investigation would be \$20,000.⁰⁰. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

OTHER BUSINESS

- **Dimension Ford West Property** – Mr. Guerin and Mr. Wernet recused themselves from this discussion and any vote that might take place. Mr. Leatherman stated that the Redevelopment Commission bought the former Dimension Ford property with the intent to return it to greenspace and provide the land to the Parks Department for future development. The west 3-acre parcel is segregated from the other parcel by an easement required for access to the bowling alley to the north and it provides through traffic from West Jefferson to Main Street. The intent has always been to determine if this parcel could be returned to the private sector. The property is in the

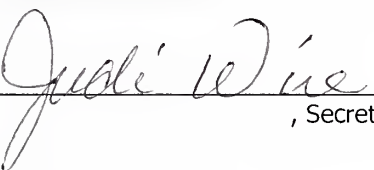
Junk Ditch floodway. The building has been appraised for \$320,000.⁰⁰. Per current regulations, there is a one-time exception investment opportunity for significant alterations costing up to ½ of the appraised value of the building. The amount allowed for renovations only includes improvements to the building, not the grounds – those would be considered maintenance items are not governed by the same restrictions and therefore would be outside the restrictive regulations. Maintenance items could also include flooring, replacement windows or any code or ADA-required improvements. These are DNR regulations. Any future marketing of the building by the new owner could be constrained by the Commission. John Hopkins, second VP of Sweetwater Sound, stated that Mr. Surack, CEO of Sweetwater Sound, is determined to be non-competitive with other automobile dealers in the area as he anticipates providing a high-end automobile dealership on the property unlike any other in the area. Rather than hold an extremely large inventory, the business would seek automobiles at the request of clients and bring the car to Fort Wayne. Mr. Surack foresees hiring professional, highly compensated individuals for the dealership. The building would be renovated to a level commensurate with high-end car dealerships throughout the United States. Mr. Leatherman also noted that there will be meetings with the Land Use Department so that whoever is doing the renovations will understand the expectations of the Land Use Department. Mr. Leatherman asked about the pace of employment over time. Mr. Hopkins replied that in the first months there would be only one or two employees, but it is anticipated that employment would ramp up to approximately six rather quickly. The addition of new employees will depend on how the internet and local sides of the business take off. Additional staff will be hired as needed. Mr. Hopkins stated that Mr. Surack feels that the possibility of having 15 to 20 full-time employees is reachable in 2 to 3 years. Mr. Hopkins noted that the planned dealership will go forward whether at this site or another. A discussion of comparable dealerships in the US ensued. Mr. Hopkins noted that there are no plans to have a full-time mechanic or body shop. Mr. Leatherman noted that of the 5 or 6 people who were initially interested in the building, only Mr. Surack contemplated any investment or significant improvements and is able to carry those plans to fruition. Mr. Leatherman noted that the property is currently zoned IN2 and staff would suggest down-zoning it to a commercial zoning. Staff will develop a written Development Agreement and bring it to the Redevelopment Commission.

- **Summit Park I & II Trail** – Mr. Lindsay stated that there is a possibility that the Redevelopment Commission can assist in the funding for a trail along the eastern boundary of Summit Industrial Park. Dawn Richie, Greenway Trail Manager, has received an inquiry concerning the Commission's interest in acquiring the property from the property owner, Midwest Rail Vest. Staff suggests that the property be legally described and appraised and a Title Insurance commitment be investigated and secured. Mr. Lindsay thinks that the cost will less than \$1,000.⁰⁰. After the Title Commitment is secured, staff will prepare a Resolution to buy the property at the average of the two appraisals. This trail property would most likely be conveyed to the Board of Public Works. This purchase would be an opportunity to own contiguous parcels. The Greenway Manager is enthusiastic about this acquisition. There is money available in the Summit Park TIF fund for the acquisition. Motion by Ms. Wire to obtain appraisals and complete a title search; seconded by Mr. Cox. Motion carried unanimously without further discussion.
- **Harrison Square/Meyer Park** – Mr. Leatherman stated that staff is working on the title work and deed to officially transfer the Meyer Park to the Parks Department. Mr. Leatherman also feels that the Commission will be in a position to transfer the east side of the former Dimension Ford property to the Parks Department in late Spring
- **Harrison Square Infrastructure Improvements** – Mr. Leatherman noted that in the past few weeks he has been approached by Transportation Engineering and Street Lighting concerning improvements at the intersection of Harrison and Baker Streets including roadwork and sidewalk repairs plus improvements to the lighting on the railroad overpass near Swinney Park. Staff also has been looking at improvements to Main Street near Maiden Lane where there are Jersey barriers that narrow the street to two lanes. It is not an attractive transition and there might be funds available to construct those improvements. Staff will get specific estimates on these improvements from the Board of Public Works.
- **Victoria Acres** – Mr. Leatherman noted the map that was included in the packet of meeting information and stated that Redevelopment Commission owns 27 acres on South Anthony near Paulding Road. Immediately to the east of that property is a 20 acre, mostly wooded, site that went to tax sale and is now available at no cost from the Allen County CDC, the entity that gets parcels that don't get sold through the tax sale. There will be very little maintenance on the property since it is wooded and Property Management will maintain it. This property could allow additional access points for the entire parcel making it easier to develop the property in the future. Ms. Wire asked that the zoning on all of the adjacent properties be compiled and presented to the Commission.
- **Annual Report** – Mr. Leatherman asked for comments on the Annual Report including additions, corrections or comments. The document should be adopted in its final form by next month. The Commissioners asked for an additional month to make comments.
- **Barry Real Estate** – Mr. Leatherman distributed a copy of a newspaper article in the Atlanta Business Chronicle regarding their avoidance of foreclosure proceedings.
- **Dave Ross** – Mr. Ross reminded the Commissioners that the Redevelopment Commission pledged \$150,000.⁰⁰ for improvements to the intersection at Washington Center and Dartmouth Drive. Improvements have been on-going since the mid-1990s and initially included turn and

signalization improvements along the corridor. There were objections to doing more work from the residents on the west side of Washington Center Road and they asked for some time to observe how the improvements at I469 impacted Washington Center corridor's traffic volumes. In 2000 another survey of the area indicated that there was a slight decrease in traffic volume. The volume of the traffic accidents was still significant at the intersection of Dartmouth Drive and 2 blocks on either side. To try to mitigate the accidents, a split-phase signal was installed on Washington Center at Coldwater Road. Safety-wise that worked out very well, but produced large traffic backups on Washington Center Road. In an effort to help traffic movement, a restricted left turn during peak hours was initiated at Dartmouth Drive. That has not worked and violations and accidents are still high. The preferred alternative is to provide a separate left turn lane at the intersection and a queuing area for left turns. There is a grant of approximately \$1 million to pay for some improvements from the Hazard Elimination Safety Fund and STP funding for environmental quality control and safety. If stop movement can be eliminated, air quality and safety will improve. Engineering plans are complete and 80% of the necessary right-of-way is in place to accommodate the improvements. Instead of a five-foot wide park strip behind the curb, a six-foot wide curb face walk will need to be put in place without a park strip. The residents are concerned about children walking on the curb-face sidewalk but the 6-foot walk should be sufficient to mitigate safety concerns. There are approximately seven more temporary right-of-ways to be acquired and Traffic Engineering must get a place in INDOT's bid letting process.

ADJOURNMENT – Motion to adjourn by Mr. Cox; seconded by Ms. Wire. Meeting adjourned at 4:52 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION


_____, Secretary

Adopted: 12 April 2010

FORT WAYNE REDEVELOPMENT COMMISSION

Regular Meeting

12 April, 2010

TIME:	4:00 p.m.
PLACE:	City Council Chambers, Room 128, City County Building, One East Main Street, Fort Wayne, IN 46802
CALL TO ORDER:	Mr. Guerin called the meeting to order at 4:00 p.m.
ROLL CALL:	Christopher Guerin Steve McElhoe Casey Cox Thom Obergfell Judi Wire
STAFF PRESENT:	Greg Leatherman, Executive Director James Lindsay, Redevelopment Specialist Gary Lyman, Brownfield Manager Joanne Reising, Administrative Assistant
COUNSEL PRESENT:	John Wernet, Carson Boxberger
OTHERS PRESENT:	Chuck Sureck, Sweetwater Sound Todd Ramsey, OMD Jim Wilhelm, Three Rivers Development
ALLOWANCE OF CLAIMS:	Motion to allow Claims of December 2009 (revised), January 2010 and February 2010 by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously
APPROVAL OF MINUTES:	Motion to approve Minutes of 8 February 2010 Regular Meeting by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously.

NEW BUSINESS

Election of Officers

President - Mr. Obergfell nominated Mr. Guerin to retain his position as President; seconded by Mr. Cox. Mr. Guerin accepted. No other nominations were made. Mr. Guerin remains the President.

Vice President – Ms. Wire nominated Mr. McElhoe to retain his position as Vice-President; seconded by Mr. Cox. Mr. McElhoe accepted. No other nominations were made. Mr. McElhoe remains the Vice-President.

Secretary – Mr. Cox nominated Ms. Wire to retain her position as Secretary; seconded by Mr. Obergfell. Ms. Wire accepted. No other nominations were made. Mr. Wire remains the Secretary.

Approval of 2009 Annual Report – Motion to approve by Mr. Obergfell; seconded by Ms. Wire. 2009 Annual Report approved unanimously without further discussion.

Presentation of Development Plan for Sweet Cars, LLC. Mr. Sureck stated that he was present to answer any questions that the Redevelopment Commissioners might have concerning the development plan for Sweet Cars, LLC that was presented at the February meeting. He stated that he plans to employ approximately six people and to hire another six people over the next 2 or 3 years. Mr. Leatherman noted that the Commissioners received an explanation of the types of improvements (with dollar amounts) that will be made on the site. Mr. Obergfell asked for a timetable for the improvements and Mr. Sureck stated after he receives the licensing and permits from the State, he anticipates hiring a contractor to begin the cleanup and improve the look of the site immediately. He anticipates that will take between 30 and 60 days. He foresees the business being open in late summer. Mr. McElhoe asked what the inventory might be and Mr. Sureck stated he anticipates having 30 to 50 cars on site. Mr. Leatherman noted that Monday, April 5 was the monthly Plan Commission Public Hearing and Redevelopment Commission staff asked that the property be down-zoned to CM3. There were no people at the Public Hearing to speak against the rezoning. The other significant property owner in the area, Mr. Edwards of Westwood Bowl, spoke in favor of the project. He also asked that if the proposed business doesn't succeed, the City would consider tearing down the building. The Plan Commission Business Meeting will be held this evening to affirm the rezoning petition and then forwarded to City Council for final approval.

Resolution 2010-06

Approving a "Real Estate Purchase and Sale Agreement" for real estate located adjacent to the Jefferson Illinois Economic Development Area, as amended

Mr. Cox asked that the provision for the resale of the property (Section 15.07) be discussed and a timeframe for beginning of the renovations be invoked. Mr. Leatherman stated the provision was discussed with Legal Counsel regarding the actual transfer of real estate and the follow-through on behalf of the applicant and potential acquirer of the property. That section also gives the Redevelopment Commission the ability to reclaim the property if the project fails to commence, fails to complete or is completed in a manner not in keeping with the Purchase Agreement. Mr. Cox stated that he thought the provision should be revised to include a clause that demanded an enforceable start date for the project improvements. Mr. Cox made a motion that the Agreement be revised to state that the project improvements would commence within six months of the signing of the Agreement; seconded by Ms. Wire.

Motion for Revision to the Agreement carried unanimously. Ms. Wire made a motion to approve the Resolution with change to the Agreement stating improvement must begin six months after the Agreement is signed; seconded by Mr. Cox. Mr. Guerin and Mr. Obergfell abstained. Motion carried without further discussion.

Resolution 2010-07

Approving Change Order Number 1 to a contract with Gerig Ottenweller, LLC for infrastructure improvements at the Robert Goldstine Bridge

Mr. Leatherman stated that when the contracts were accepted for the bid the Engineers had omitted an investigation of the underground utilities. There are two utility lines that were too close to the piers for the Bridge construction. One was a water supply line and the other was a section of combined sewer. Since the combined sewer would eventually need to be separated, it made sense to separate the sewer lines at this time. City Utilities will reimburse the Redevelopment Commission the difference between what it would have cost to simply relocate the lines and to separate the sewer lines. Relocating the sewer line will also alleviate flooding problems in the Embassy basement. Mr. Wernet noted that the 20% cap for contract Change Orders does not apply to this Change Order because there is an exception in State legislation for unforeseen circumstances. The relocation of the lines meets those criteria. This will not delay the project. The estimated completion date for the Bridge is 1 July 2010. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2010-08

Approving a Brownfield Grant for Turnstone Center for Children and Adults with Disabilities

Mr. Lyman noted that this Brownfield project will eliminate several eyesores near the Turnstone Center and mitigate some criminal activities in the area. Turnstone plans an addition to their facility to serve their clients at this site. This resolution only contains a grant for a Phase II investigation and has no provision for remediation. There is evidence that there was a gas station and oil storage on the site. Motion to approve by Mr. Cox; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2010-09

Approving a Brownfield Grant for Midtowne/Brown, LLC

Mr. Lyman stated that Midtowne/Brown has purchased some vacant and blighted properties on Maumee Avenue near Indiana Institute of Technology. They plan to build a small retail center on the site that will serve not only Indiana Tech but also the residents in the area. A Phase I investigation revealed several oil-stained areas, suspect asbestos-containing materials and the location of a former underground storage tank. Midtowne/Brown has applied for a Brownfield grant to conduct a Phase II Site Assessment to better define the extent of contamination. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

OTHER BUSINESS

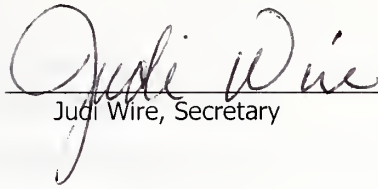
Resolution 2010-10

Approving a Public Improvements Reimbursement Agreement for the construction of public improvements in the Lima Wells Fernhill Economic Development Area

Mr. Wernet noted that at the time the new Canlan Ice Facility was beginning construction there was a Memorandum of Understanding between the City, Parks Department and OMD Holdings relating to Canlan taking control of the McMillen Facility and building the three rinks facility on Wells Street. The facility is located in the Lima-Wells-Fernhill Economic Development Area. The Memorandum of Understanding set out that the Redevelopment Commission would reimburse infrastructure costs incurred in that area. Those costs total \$2,725,399.⁰⁰ and include sewer improvements and infrastructure improvements to Wells Street, Fernhill Avenue and Lima Road and the building of Ice Way, an internal public street. The costs also include the dedication of Right-of-ways and easements to the city and INDOT along part of Lima Road. The City allowed OMD to use parts of the former railroad right-of-way that the Redevelopment Commission owns from State to Fernhill as a stormwater detention area that will serve not only their project but also stormwater detention in the Spy Run Creek. A bike trail is part of the development and is part of the City's on-going trail system. The reimbursement dollars will come from TIF that is generated by Ice Rink and the nearby hotel, when it comes on line. Edy's is in the project area and there is additional TIF generated by Edy's. If Edy's has a project, the Commission will have to set aside funds to help with any expansion they might anticipate. TIF will reimburse OMD from the taxes generated by the project until the entire amount has been repaid. OMD has also requested that the Commission reimburse interest; that is not part of the agreement. Mr. Leatherman received a document that delineates the tax rate for a \$2.7 million bond for taxable and tax exempt projects. The Controller's Office is working on the difference between the two rates. The Redevelopment Commission would reimburse the difference between the taxable rate paid by OMD and the tax-exempt rate that they city would have paid. The Controller's Office feels that it is fair to repay the rate the City would have paid. Mr. Leatherman restated the provisions of the Memorandum of Understanding. The reimbursement would most likely coincide with the Redevelopment Commission receiving the TIF funds from the Controller's Office. Jim Wilhelm of Three Rivers Development stated that he spoke to the CFO of the hotel and they had a problem with their lending source. The hotel owners have put other financing together and will be ready to continue the project in the next 60 to 90 days. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Mr. Obergfell abstained. Motion carried without further discussion.

ADJOURNMENT – Motion to adjourn by Mr. Cox; seconded by Mr. Obergfell. Meeting adjourned at 4:33 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 10 May 2010

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
10 May 2010

TIME: 4:00 p.m.

PLACE: City Council Chambers, Room 128, City County Building, One East Main Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:00 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
Gary Lyman, Brownfield Manager
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet, Carson Boxberger

OTHERS PRESENT: None

ALLOWANCE OF CLAIMS: Motion to allow Claims of March 2010 by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 12 April 2010 Regular Meeting by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously.

NEW BUSINESS

Resolution 2010-11

Approving the collection of Tax Increment from Property Taxes on real estate located within the Civic Center, Summit Industrial Park, Centennial Industrial Park, Jefferson/Illinois Road, Baer Field, Tillman/Anthony, Lima Road/Ley Road, East Illinois Road, West Highway 30 and Lima Wells Fernhill Tax Allocation Areas

Mr. Lindsay noted that this Resolution is a statutory obligation that will notify the Auditor of Tax Increment needed for various tax allocation areas in the coming year. There are three changes. The Redevelopment Commission will not be requesting tax increment from Washington Center, Illinois/Getz Road and Maysville/Stellhorn Road tax allocation areas for the year 2010 pay 2011. Staff believes there is sufficient cash available in the Illinois/Getz Road Economic Development Area to fund planned projects. The same is true for Maysville/Stellhorn Road and Washington Center Road. New areas requested for tax increment include East Illinois Road, West Highway 30 and Lima Wells Fernhill. There are planned projects in these areas including major infrastructure improvements near the new ice rink in and serving the Lima Wells Fernhill area. East Illinois Road is the area comprising a former K-Mart plus the area that is now developed as Orchard Crossing shopping center with a Super Target Store as anchor. The primary project there is reimbursement to the developer for approximately \$156,000.⁰⁰ in utility infrastructure costs in and near Thomas Road, including drainage and culverts. West Highway 30 Economic Development Area is more commonly known as the SIRVA site. The project here is repaying the City of Fort Wayne's CEDIT fund from tax increment for an Economic Development project on the SIRVA campus. A discussion of the Jefferson/Illinois tax allocation as it applies to debt service ensued culminating in the understanding that only 50% of the tax increment collected is earmarked for debt service. Mr. Leatherman noted that there is a generous balance in the Summit Park II fund that could be used to fund improvements including the widening of Washington Center Road from Lima to Huguenard that has been contemplated by the Northeast Indiana Regional Coordinating Council (NIRCC) for several years and is part of a Memorandum of Understanding between the Fort Wayne and Allen County Redevelopment Commissions. Mr. Leatherman and Dan Avery, the Director of NIRCC, have had conversations concerning funding for that project. The Northeast Indiana Regional Partnership has hired a consultant that would certify Summit Industrial Park II and other parks as Shovel-Ready so the Partnership and Alliance could advertise them that way. The charge for the Certification will be \$3,000.⁰⁰. This Certification will mean that the Park will be advertised more widely than through the listing Realtor. The consultant will also report on enhancements that might be made to improve the marketing of the Park. His report would consider accessibility on Washington Center Road. Mr. Avery can move this project up on the list if we supply the financial leverage to do so. Moving this project forward will help Summit Park as more traffic will be able to efficiently move through the area. There are also some enhancements to the Park entrance that could be made to increase visibility into the park. The owner of Wayne Pipe and Supply indicated that evergreens at the entrance to the park block traffic sightlines coming from the west until the driver is almost past the entrance. Some of those evergreens are browning out. Different landscaping would enhance the entrance into the Park. Staff will be looking into either thinning the trees out or installing more aesthetic landscaping on both sides of the entrance on Washington Center Road in addition to the proposed trails project that incorporates land acquisition from the owner of the former railway right-of-way. Mr. Cox asked if staff has ever received requests from other taxing units to forego collecting tax increment from any tax allocation area. Mr. Lindsay stated that there has never been a request during his tenure. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2010-12

Directing the transfer of Harrison Square real estate from the Fort Wayne Redevelopment Authority to the City of Fort Wayne, Board of Park Commissioners

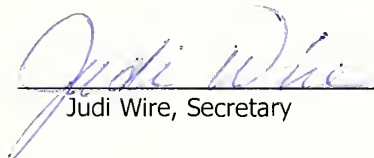
Mr. Wernet stated that from the beginning of the Harrison Square development, the 1½ acre parcel of land that constitutes Meyer Park was always anticipated to be transferred to the Parks Department for ownership and maintenance. Currently, the parcel is owned by the Redevelopment Authority. Under Statute, their authority is to give the land back the Redevelopment Commission when the Bonds are paid in full. Therefore, the Redevelopment Commission must notify them to transfer it to the Parks Department. The Authority will be meeting after this meeting to sign the necessary paperwork to transfer the property. Mr. Leatherman also noted that there will be a Resolution soon that will transfer the former Dimension Ford property on West Jefferson to the Parks Department. Motion to approve by Mr. Cox; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

OTHER BUSINESS

- **Summit Park Trails and Landscaping** – Mr. Lindsay mentioned that the property the Redevelopment Commission will be acquiring from US RailVest is being surveyed and then appraised so the Board of Public Works can incorporate it into the Trails System. The Redevelopment Commission will then offer US RailVest the average of the two appraisals. Mr. Lindsay also stated that the entrance lights on Washington Center Road are being refurbished. Also the City Arborist is identifying trees in the Park along the Right-of-way that need to be replaced and will be providing a proposal for the replacement of seven to ten trees.
- **Brownfield Grant** – Mr. Leatherman referred to the Brownfield memo that was included in the packet of information. The Brownfield Manager made an application for additional funds to specifically deal with the former HubCap Express near Clinton Street in Downtown to IDEM's Leaking Underground Storage Tank program. The Redevelopment Commission was awarded a \$200,000.⁰⁰ Remediation Grant to continue the cleanup. It is hoped that staff can work with the City's Transportation Engineering Department as they oversee the building the new Martin Luther King Jr. Bridge and incorporate the remediation.

ADJOURNMENT – Motion to adjourn by Mr. Obergfell; seconded by Mr. Cox. Meeting adjourned at 4:20 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 19 July 2010

FORT WAYNE REDEVELOPMENT COMMISSION
Special Meeting
19 July 2010

TIME: 4:00 p.m.

PLACE: Omni Room, Second Floor, City County Building, One East Main Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:12 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Steve McElhoe
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet, Carson Boxberger

OTHERS PRESENT: None

ALLOWANCE OF CLAIMS: Motion to allow Claims of April 2010 by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously. Motion to allow Claims of May 2010 by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously.

APPROVAL OF MINUTES: Motion to approve Minutes of 10 May 2010 Regular Meeting by Mr. Cox; seconded by Mr. Obergfell. Motion carried unanimously.

NEW BUSINESS

Resolution 2010-13

Ratifying and approving expenditures for the Summit Industrial Park Urban Renewal Area, as amended

Mr. Leatherman referred to the list of expenditures on the Resolution and noted that the costs for SGD, GME Testing and SES are all required components to submit a complete application to designate Summit Park II as a "shovel ready" site. The costs of surveying and appraisals needed to be completed prior to acquiring the 100 foot corridor from Cook Road to Washington Center for the urban trail extension. Mr. Leatherman stated that the Northeast Indiana Regional Coordinating Council (NIRCC) has designated the road improvement project along Washington Center between Lima and US 33 as a priority. This is because they can now share the costs of those improvements with the funds generated by the TIF District. Motion to approve by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2010-14

Approving expenditures for the replacement of pedestrian and traffic lighting in the Harrison Street railroad underpass

Mr. Leatherman noted that the railroad underpass is adjacent to the Baker Street Train Station. The sidewalks and traffic lanes are very poorly lighted. The Street Lighting Engineer, Herb Berg, asked Redevelopment Commission staff if funding would be available to replace the pedestrian lights under the railroad overpass. Mr. Leatherman researched funding options and determined that TIF funds could be used to refund the construction costs. Once Traffic Engineering determined that they could not replace the pedestrian lighting without replacing the traffic lighting, the project expanded. After further examination, it was determined that the railings separating the pedestrians from the roadway needed to be replaced. When the project is complete, TIF funds will reimburse the construction costs of these projects. A discussion regarding who travels that corridor and ownership of adjoining land ensued. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

OTHER BUSINESS

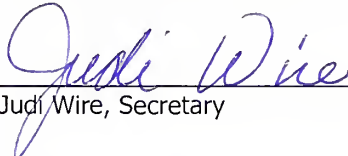
- **Courtyard by Marriott Update** – Mr. Leatherman distributed some computer-generated mock-ups of the exterior of the hotel. The hotel plans to install a canopy to protect people from the weather that stretches from the parking garage to the hotel entrance on Harrison Street. From the south side of the hotel there will be another canopy that connects to the Parking Garage to the side wing of the hotel. The picture also depicts the south side of the hotel where a canopy will connect with the hotel and the walkway that runs toward the ballpark and the Meyer Park. There was also a picture of the walkway that goes downhill toward their Conference Center. The actual property deeded and conveyed to the hotel is almost against the wall of the Meyer Park property. White Lodging has agreed to absolve the Parks Department from maintaining that area. They have agreed to be responsible for completely maintaining that area. Guests can enter the hotel from the garage, the Conference Center or through main lobby on Harrison Street. A discussion of parking on Harrison Street ensued. The Courtyard is nearly complete and the formal opening of the hotel on September 1. The Planning Department has hired a consultant to

examine the Jefferson streetscape with the idea of changing Jefferson to a more pedestrian-friendly and less wide street. At this time the Redevelopment Commission does not have the luxury of waiting for the consultant's report and the planning that would then ensue. White Lodging has undertaken the installation of the streetscape all the way around the corner of Harrison, down Jefferson to the greenspace. The City will complete the streetscape to the Plaza and to the planned parking lot to the west within the appropriate downtown design standards. Additional parking will be needed to the west when construction begins on the mixed-use project. Mr. Leatherman will get the necessary plans in place to complete the infrastructure improvements. White Lodging has indicated that they are interested in negotiating the use of that parking lot for the patrons of Champions Sports Bar. Initially, those spaces were considered integral to the retail that was planned for the mixed-use project. White Lodging has also agreed to help fund the parking lot. The intention is to use CEDIT bond funds to pay for the repaving of Harrison Street once the construction is complete and before the opening of the hotel. The Redevelopment Commission is obligated to purchase equipment that connects the hotel front desk to a controlling mechanism on the keys and parking passes for Courtyard guests. The equipment will also track garage revenue. The Skybridge is a little behind schedule but will be completed well in advance of September 1.

- **Sweet Cars** – Mr. Leatherman noted that the Closing has been scheduled for Sweet Cars to be located on the former Dimension Ford property. They are ready to move forward on the project as originally proposed.

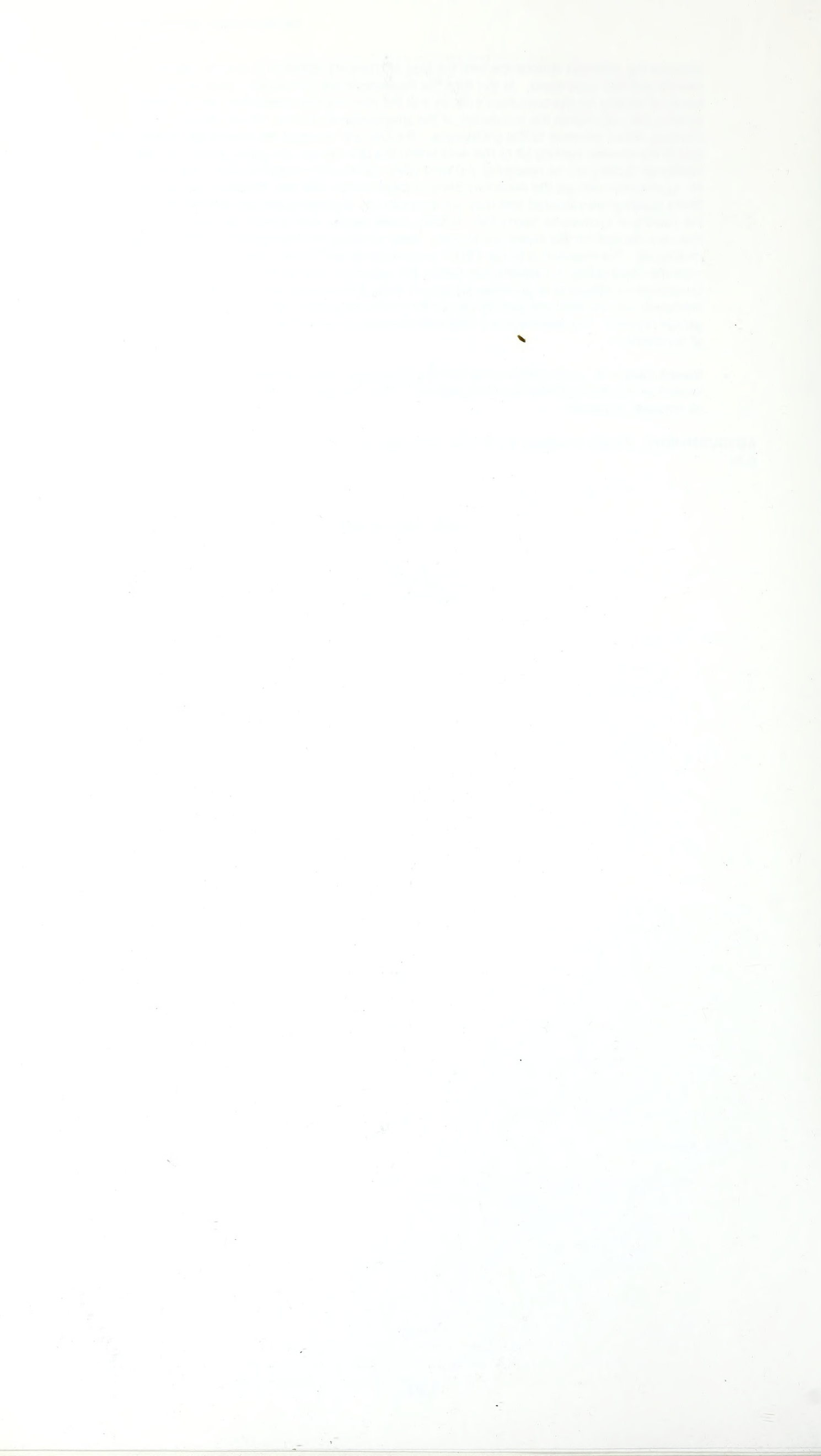
ADJOURNMENT – Motion to adjourn by Mr. Cox; seconded by Mr. Obergfell. Meeting adjourned at 4:40 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 16 August 2010



FORT WAYNE REDEVELOPMENT COMMISSION
Special Meeting
16 August 2010

TIME: Immediately following the Executive Session held at 4:00 p.m.

PLACE: County Commissioners' Courtroom, Second Floor, City County Building, One East Main Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:35 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Steve McElhoe
Thom Obergfell
Judi Wire
Steve Corona

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet, Carson Boxberger
Rick Samek, Carson Boxberger

OTHERS PRESENT: Justin Brugger, Fort Wayne City Utilities

ALLOWANCE OF CLAIMS: Motion to allow Claims of June 2010 by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 19 July 2010 Special Meeting by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously.

NEW BUSINESS

Resolution 2010-15

Ratifying and approving an emergency expenditure for the construction and/or repair of streetlight and traffic signal infrastructure at the Harrison Street and West Jefferson Blvd. intersection.

Mr. Leatherman stated that near the end of construction on the Robert Goldstine Bridge, which connects the Embassy Theatre with the new Courtyard Hotel, it was discovered that the street lighting and traffic signals needed to be evaluated and repaired. In the interest of pedestrian and traffic safety, Mr. Leatherman authorized the Traffic Signal Engineer to solicit an emergency bid for the rework and reconstruction of street lighting and traffic signalization at the intersection of West Jefferson and Harrison. The contract was awarded to SSC (SubSurface Construction) in the amount of \$17,833.⁰⁰. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2010-16

Approving a budget for the construction of a Regional Stormwater Detention Area in the Lima Road Ley Road Economic Development Area

Mr. Leatherman noted that in 2006, the Redevelopment Commission approved the creation of the Lima Road Ley Road Economic Development Area with the intention of assisting in the funding of the construction of a regional stormwater detention area near the site of the old Seyfert's Potato Chip factory and the abandoned Radisson Hotel site. The project is now designed and ready for bid. The cost estimate is approximately \$1.0 million. City Utilities owns the real estate and has offered to reimburse the Redevelopment Commission up to \$500,000.⁰⁰ from the sale of developable land on the north portion of the site. Because Summit Parks I & II drain from the Spy Run Creek into the detention area, Legal Counsel has determined that using Tax Increment from Summit Park would be an allowable use of TIF funds because of that physical connection. Justin Brugger of City Utilities stated that a number of low-lying properties, immediately south, in Interstate Industrial Park experience flooding whenever the Spy Run Creek overtops its banks because much of the area lies three to four feet below the 100-year floodplain. During less severe events, flooding occurs across Newaygo Road and into Raytheon's parking lot. Additionally, a number of businesses in that portion of Interstate Industrial Park get flooding in their buildings. An engineering study for the creek was done and the recommendation was the construction of a 47-acre detention basin to offset effects of a proposed channel widening improvement downstream. This would also provide overall regional detention benefits for the Spy Run Creek System. In anticipation of this project, City Utilities purchased a 20-acre commercial property from Columbia Sussex Corporation in 2006 for approximately \$1,000,000.⁰⁰, \$400,000.⁰⁰ of which was paid by the Redevelopment Commission. The engineering firm City Utilities hired to design this project estimated the cost would be \$4.9 million, more than \$2 million above their preliminary engineering estimate. This option required hauling 130,000 cubic yards of dirt and disposing of it approximately miles from the site. A new plan was

developed to utilize twelve low-lying acres of the 20-acre site that would leave eight acres available for development. Four additional low-lying acres adjacent to the creek would be acquired from both Menards and Bernard C. McGuire. By utilizing these additional parcels, the City can realize significant cost savings. As part of the revamped plan, the City could place the excavated dirt over the eight developable acres and the remainder of the Menard's 21-acre parcel, eliminating the need to haul the dirt off-site. This would raise the elevation of both sites by approximately two feet, making them more visible and allowing development from the sites to discharge directly into the regional detention basin. Following construction of the basin, both sites will be finish-graded and shovel-ready. City Utilities staff believes the cost of construction would be less than \$1 million. Final engineering plans have been completed and the permits have been acquired. Neither the Stormwater Utility nor the Lima-Ley TIF District has the necessary funds to commence construction. Since the Summit Park TIF District discharges directly into the Spy Run Creek and migrates southerly through Interstate Industrial Park, City Utilities is asking that Summit Park TIF proceeds be made available for the construction. At the time of a mutually-agreeable sale of the 8-acre parcel, City Utilities will reimburse the Redevelopment Commission from the proceeds in an amount not to exceed \$500,000.⁰⁰. Another option would be that City Utilities would deed the 8-acre parcel to the Redevelopment Commission for sale and development. When developed, City Utilities will need to utilize tax increment from this site to facilitate the related construction of downstream channel improvements throughout Interstate Industrial Park. That cost is estimated to be an additional \$1 million. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

Resolution 2010-17

Approving a Brownfield Grant for the Turnstone Center for Children and Adults with Disabilities

Mr. Leatherman stated that the application for this grant covers a site located west of property at 435 Livingston that Turnstone is planning to develop. The site is currently vacant and in disrepair with a small storage building located near the center of the property. A limited environmental review indicated that a bulk oil storage facility was located on property during years from 1956 to 1973. SES Environmental depicted four storage tanks and a loading rack on the site. The property is topographically upgradient from the Turnstone property and there is a potential for historical spills and releases of petroleum. A portion of the west parcel will be a dedicated street that will allow improved traffic circulation in the property vicinity and would provide emergency vehicular access. Turnstone will finance Phase I and II environmental investigations with assistance from the Brownfield Grant Program. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2010-18

Approving First Amendment to a Memorandum of Understanding with the Fort Wayne Allen County Convention & Tourism Authority

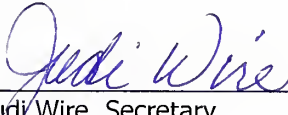
Mr. Wernet noted that the Fort Wayne-Alen County Convention and Tourism Authority is now known as the Fort Wayne Capital Improvement Board of Managers because Indiana Public Law 176-2009 renamed it. Indiana Public Law 176-2009 modified the distribution of revenues from the Allen County Professional Sports and Convention Development Area between the War Memorial Coliseum Board of Trustees. The adoption of the 176-2009 did not recognize the Memorandum of Understanding relative to Grand Wayne Center financing and as a result of its adoption, the language in the "Supplemental Revenue Pledge" has unintended consequences which would cause new revenue to the Board to be subject to the "Supplemental Revenue Pledge". This First Amendment to the Memorandum of Understanding will clarify and memorialize the understanding of how the revenue streams should be handled in light of the adoption of 176-2009. This resolution states that the new and increased revenues under 176-2209 will not be required to be directly applied to the reduction of the bond indebtedness as part of the Supplemental Revenue Pledge. Also the first \$175,000.⁰⁰ of that tax received each year by the Fort Wayne Capital Improvement Board of Managers will be subject to and paid pursuant to the original Revenue Pledge until such time as the lease obligations of the Fort Wayne Redevelopment Commission to the Fort Wayne Redevelopment Authority are fully satisfied. Motion to approve by Mr. McElhoe; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

OTHER BUSINESS

- **Ribbon Cuttings** – Courtyard by Marriott will have a ribbon cutting at 12:00 noon on September 1 and the Robert Goldstine Bridge will have their ribbon butting at 1:00 p.m. the same day.

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. Cox. Meeting adjourned at 5:20 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 16 August 2010

FORT WAYNE REDEVELOPMENT COMMISSION

**Regular Meeting
13 September 2010**

TIME: 4:00 p.m.

PLACE: City Council Chambers, Room 128, City County Building, One East Main Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:03 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Steve McElhoe
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: Karl Bandemer, The Alliance
Steve Brody, Brody Consulting LLC
Tim Haffner, Baker & Daniels

ALLOWANCE OF CLAIMS: Motion to allow Claims of July 2010 by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 16 August 2010 Special Meeting by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously

NEW BUSINESS

Resolution 2010-19

Ratifying and approving an Agreement for the Sale and Development of Real Estate in the Summit Industrial Park Urban Renewal Area

Mr. Leatherman noted that staff was contracted by the legal representative of Wayne Estates LLC and Barry Sturges, the Commission's realtor representing Summit Park, that Wayne Estates inquired regarding the purchase of two parcels in Summit Park II. Wayne Estates, a veterinary medicine distribution center, is aware of the Restrictive Covenants and Deed Restrictions in the Park. The document distributed to the Commissioners outlines a contingent acceptance of the \$1.⁰⁰ per square foot offer selling price for the parcels. There were on-going negotiations between Commission Staff, Larry Shine, as legal counsel, and Wayne Estates and their attorney. While this selling price is lower than what other parcels have sold for in the past, there is a new "normal" compared to real estate priced two years ago. The parcels constitute two lots totaling 7.5 acres, without any frontage acreage. Mr. Sturges believes that \$1.⁰⁰ per square foot is a price at or near the top of the market at this time. There will be due diligence by Wayne Estates and Redevelopment Commission staff will complete due diligence to make sure the project will go forward as described in a reasonable amount of time. Mr. Leatherman and attorneys representing both sides constructed a 9-month timeline for Wayne Estates to complete their due diligence, obtain the necessary permits, complete their construction design and begin the actual construction. Should they fail to begin construction within that timeline, the land would have to be resold back to the Redevelopment Commission. Part of the negotiation was a clause that would allow a return of commission and other contingent fees to mitigate costs incurred by the Redevelopment Commission. Wayne Estate's Engineering and Architectural Drawings must be submitted to the Redevelopment Commission for approval because the Commission is still the majority owner of the Industrial Park. The total sale price would be approximately \$326,700.⁰⁰. The proposed building is 50,000 square feet of refrigerated warehouse space and 5,000 square feet of office space. Wayne Estates is currently occupying leased space in Fort Wayne; they plan to increase their current number of employees. The wages paid to these employees will average above \$30,000.⁰⁰ per year. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2010-20

Approving an extension of a lease between Mayflower Investment Group LLC, as lessee, and the Fort Wayne Redevelopment Commission, as lessor, for real estate and improvements commonly known as "Club Soda"

Mr. Leatherman reminded the Commission members that there has been a 5-year lease in place for the former Indiana Textile Building. Over time, the lessees have asked for and been granted, the approval to build out onto the Headwaters Park parking lot, thereby occupying more space than in the original lease agreement. When it became time to renegotiate the lease, it seemed only fair to make an adjustment to the lease amount. The new lease contains a pro-rated increase on the extra square footage that Mayflower Investment Group now occupies. The expiring lease was for \$1,012.⁰⁰ per month; the new five-year lease is \$1,750.⁰⁰ per month. Club Soda, aka Mayflower Investment

Group, has asked for options to extend the lease beyond the five years be incorporated into the new lease because they have significant investment in the Indiana Textile Building. A discussion of the management of the Headwaters Parking Lot ensued. Motion to approve by Mr. Cox; seconded by Mr. McElhoe; Mr. Obergfell abstained. Motion carried without further discussion.

Resolution 2010-21

Approving an expenditure for parking control equipment for the Harrison Square parking garage

Mr. Leatherman noted that there is a Parking Garage Usage Agreement in place between the City of Fort Wayne and White Lodging regarding their use of the 250 parking spaces committed to hotel patrons as well as 20 spaces for employees. That agreement specifically covers the necessary equipment the Redevelopment Commission will be purchasing to track the Hotel's use of the parking garage and the resulting revenue. The Commission will receive \$1.50 per space per night when a hotel patron uses the Garage. The equipment will be installed by Light & Breuning at a cost of \$37,951.⁴⁹, which includes both the equipment and installation. TIF Revenues from the Civic Center Urban Renewal Area will be used to pay the costs. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

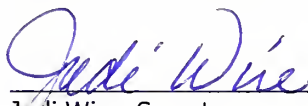
OTHER BUSINESS

- **Memorandum of Understanding between the Fort Wayne Redevelopment Commission and the Allen County Public Library** – On 26 August 2010, Mr. Bandemer of the Alliance, Mr. Leatherman and a representative of the Downtown Improvement District met with the Allen County Public Library Board to present a proposal that would facilitate private development in the area by using the Library's parking lot at the corner of Harrison and Washington. Mr. Leatherman stated that the Convention & Visitors, as well as a law firm, is locating in the Harrison Professional Building (former Bonsib Building) at the corner of Harrison and Washington. Across the street is a parking lot that is owned by the Allen County Public Library and is used for employee and public parking. The proposal states that the Fort Wayne Redevelopment Commission would like to partner with the Library to make additional spaces available as customer parking for potential businesses located between Washington and Wayne. The Redevelopment Commission would pay for the upgrading of existing equipment on the lot to accommodate transient parking, but the number of available spaces would be controlled by the Library. The Library would have the ability to reserve the entire lot from time to time. The Redevelopment Commission would enhance the parking lot landscaping and improve the streetscape along the public right-of-way. The proposal also includes a 50/50 revenue share for the transient parking that would be reviewed by both parties after one year. The Library Board concurred with the proposal, but there needs to be a formal process that includes the elements in the proposal. Funds from the Civic Center Urban Renewal Area TIF revenues would be used to upgrade the parking lot. If there is a consensus of the Redevelopment Commission to present a formal proposal, staff would prepare a Resolution. Ms. Wire made a motion to move forward with the proposal; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.
- **Renaissance Square Sidewalk Reconstruction** – Mr. Leatherman explained that a proposal for repairs and improvements to Wayne and the east side of Barr streets near Renaissance Square has been prepared and bids must be returned before September 24 at 10:30 a.m. The bid document proposes the removal of existing sidewalks and brick pavers, construction of new sidewalks, curbs, and street lighting on Wayne Street between Clinton Street and immediately east of Barr Street and Barr Street from Washington to ½ block north of Wayne Street. The estimate for the work is \$300,000.⁰⁰. The expenses will be paid from the Civic Center Urban Renewal Area. Plans are to have the construction completed this year. Mr. Leatherman volunteered to tour the area with the Commissioners to indicate the areas that will be upgraded, if they desired.
- **Default Letter** – Mr. Leatherman noted that in the July and August Executive Sessions, the Redevelopment Commissioners were apprised of the lawsuit regarding the Parkview Field turf issues. Other discussion items were real estate matters pertaining to agreements between the City, the Redevelopment Commission and Barry Real Estate, including Hardball Capital, regarding the mixed-use project at Harrison Square. At the July Executive Session there were serious discussions regarding options available to the Redevelopment Commission concerning agreements with Barry Real Estate and Hardball Capital. Discussions centered on the appropriate options to be taken because of the delay, including the assumption that other developers might be shying away from approaching the City because they felt, whether it is technically true or not, that there was a legally established relationship between the City and Barry Real Estate that would preclude a new developer from approaching the City. A discussion during the Executive Session led to the consensus that it was time to draft a letter that would be forwarded to both Hardball and Barry Real Estate to indicate that the Redevelopment Commission was beginning the process of issuing a Notice of Default on the Development Agreement. The letter would begin a 90-day period for Barry to show progress and begin the project. Shortly after that Executive Session, Scott Wise, of Scotty's Brewhouse, announced that he had signed a Letter of Intent to locate in the mixed-use part of the development. It was agreed to defer any type of action being considered in a Default

Letter, hoping that momentum would continue regarding leasing of the retail portion of the development. The consensus of the Commission was that a 2 month period would be enough time for that process. The Commission has been judicious and conscientious about the impact of these actions but still feels unbalanced concerning the issue of exclusivity, and having it publically discussed and dealt with. Staff and legal counsel feel sending a Default Letter is the appropriate next step. At this meeting, the Commission will discuss the matter publically and with the Commission's permission instruct Legal Counsel to draft a Default Letter that lays out the terms of the default and the "cure" timeline. The letter could be drafted and brought before the Commission at a Special Meeting in two weeks. Mr. Leatherman noted that Barry Real Estate has been acting in good faith in extraordinarily hard financial times. They have spent approximately \$750,000.⁰⁰ on design and hard costs. In addition to their marketing efforts, there have been on-going discussions with office space users, possible retail tenants and others. This is the point in time when it might be appropriate to consider other options and to make sure the Commission is in a position to entertain those options should they come. Staff has heard that there might be groups of individuals that have indicated through informal channels that they might be interested in the development. After the letter has been delivered, there could be conversations about remedies. Mr. Cox stated that he felt now is the time to begin this process. Mr. Leatherman noted that with the previous letters sent to Hardball and Barry Real Estate, the Commission reserved the rights under the Agreement but did not exercise them. When officially delivered to the developer, the Notice would begin a period of 90 day to "cure" that default. Mr. Shine noted that the previously sent letter notified Barry Real Estate and Hardball Capital that the Commission was contemplating the process of Default and asked for a reason not to go forward. Mr. Shine also noted that the Commission could not entertain any alternative proposals before the 90-day "cure" period, but could receive inquiries from interested parties. Mr. Obergfell stated that he felt the Hardball/Barry Real Estate connection was essential to completing the baseball stadium but at this time he doesn't feel that they bring anything exceptional to the table that could not be provided by another entity. Mr. Cox stated that renegotiating the Agreements might be more attractive than seeking damages through the contract, but it is time to draft the Default Letter. Staff will contact the Commissioners to set a time for a Special Meeting that will present a draft Default Letter to Barry Real Estate and Hardball Capital. The letter will be drafted by Mr. Shine, Mr. Wernet and Mr. Haffner.

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. Cox. Meeting adjourned at 4:50 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 11 October 2010

FORT WAYNE REDEVELOPMENT COMMISSION

**Special Meeting
27 September 2010**

TIME: 4:00 p.m.

PLACE: City Council Chambers, Room 128, City County Building, One East Main Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:00 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
Tom Cain, Urban Landscape Designer
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet, Carson Boxberger
Larry Shine, Associate City Attorney

OTHERS PRESENT: Steve Brody, Brody Consulting LLC
Tim Haffner, Baker & Daniels

NEW BUSINESS

Discussion of default by Barry Real Estate in performance of its obligations under the Condominium/Retail Economic Development Agreement

Mr. Leatherman noted that each Commissioner has received a copy of the draft default letter to Barry Real Estate and Hardball Capital. The attorneys present will discuss the outcomes of the June 2009 letters compared to the draft letters before the Commissioners and the \$5,000.⁰⁰ a day default remedy. Mr. Wernet explained that prior to June 2009, there were discussions regarding the Condominium Retail Economic Development Agreement and the Stadium License Agreement. The documents address a possible failure to perform by Barry Real Estate and a remedy with Hardball Capital. In 2009, it was decided to put Barry Real Estate under a "soft" default that did not trigger the 90 days default period, so a preliminary notice of Failure to Perform was sent. The Commission did not want to give Barry or Hardball any argument that the Redevelopment Commission had waived its rights under the Agreements. At that time, a letter was sent that noticed them that the Commission was preserving its rights under the Agreements in anticipation that there would be a more formal notice that would then trigger the Default Letter if Barry was not able to begin the project. There has always been an on-going belief that Barry was working diligently toward performance. Both Barry Real Estate and Hardball Capital were aware that the 2009 letters were being sent. In 2009, both Barry Real Estate and Hardball Capital responded within the specified time period, noting the financial institutions and potential retail tenants they were conferring with. There were timelines submitted and it was considered a good-faith response. Mr. Cox asked about the extension that is available and Mr. Wernet replied that if after the 90-day period referenced in the Default Letter, Hardball would be able to extend for an additional 90 days at a cost of \$5,000.⁰⁰ per day

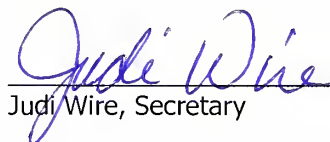
Larry Shine stated that the form of the letter to Barry Real Estate is noted under Section 6.04 in the Condominium Development Agreement. The first proposed letter is to Barry Real Estate and confirms that they are in default under the Agreement and they have failed to build the condominium/mixed use development. The letter states that they have 30 days from the date of the notice to satisfy their obligations under the terms of the Agreement. If they do not satisfy the obligation, Barry will be in breach of the Agreement. The Agreement gives the Redevelopment Commission the right to terminate the Agreement as it applies to Barry Real Estate at that time. Performance within that 30-day period under the Agreement States: Before any failure of any party to perform its obligations under this Agreement shall be deemed to be a breach of this Agreement, the party claiming such failure shall notify, in writing, the party alleged to have failed to perform such obligations and shall demand performance." If Barry has not performed, which cannot be construed to mean completed the project, the Redevelopment Commission can declare that Barry Real Estate is in default. Under the Stadium License Agreement if Barry Real Estate is issued a Notice of Failure to Perform, Hardball Capital can elect to perform. That is defined as the Initial Cure Period. At the end of that 90-day period, if Hardball elects, it can extend the cure period for an additional 90 days at a cost of \$5,000.⁰⁰ per day. That cost does not constitute a damage clause, but an option for Hardball to pay to continue the cure period and maxing out at a cost of \$450,000.⁰⁰ for the additional 90 days. Only Barry Real Estate breaches the Agreement, Hardball has the right to cure Barry's default in two stages. Mr. Leatherman noted that there are additional options for the Redevelopment Commission in addition to the 90-day cure. There is more language in the Agreement that is not being triggered by these Default Letters. There are options and remedies to be explored within the language of the Agreement that would allow the Redevelopment Commission to seek alternatives. Mr. Shine noted it would be premature to discuss the remedies since there may be no cure. Mr. Guerin stated that the

primary reason for sending these letters is that there may be other developers who might not want to talk to the Redevelopment Commission until this step was taken. If Hardball has not taken any action after Barry's 30-day period, then the Redevelopment Commission can explore other options. Mr. Wernet stated that if there is no response in writing from them, a Resolution would be presented to the Commissioners declaring Barry to be in default. Mr. Leatherman noted that there are several options on the table, including having the project be financed and finished by Barry. He noted that he has been in contact with Barry Real Estate and there will be formal documentation of legal positions and performance that will come from the default letters. In answer to Ms. Wire's question, Mr. Shine stated that depending on the definitive nature of the replay, the information could become public but if there is deliberative information and negotiations contained in the response, public disclosure at that time might not be appropriate. Mr. Leatherman stated that if the response contains private information regarding negotiations between Barry and a potential tenant, it would not become public information until the lease was signed and both parties are ready to disclose the name of the tenant or tenants. Mr. Guerin asked about any progress Barry might be making. Mr. Leatherman responded that he received a telephone call from a local retail business that inquired about the parking situation near the development. When that potential client completes its survey, he, hopefully, will go back to Barry to negotiate a lease. There is a second restaurant that has been having conversations with Barry about locating in the development. Mr. Leatherman intends to write a letter to Chris Schoen that delineates the parking available in the area so Mr. Schoen can then send it to his potential retail tenants. Mr. Leatherman stated that if the Commissioners are comfortable with the language in the letters to Barry Real Estate and Hardball Capital, a vote should be taken that would authorize the Default Letters to be sent tomorrow. After two scrivener's errors were noted, Mr. Cox made a motion to deliver the two letters to Barry Real Estate and Hardball Capital; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Wayne & Barr Street Improvements – Mr. Leatherman noted that bids were received on Friday. The Advertisements for Bids were published on two different occasions in both the Journal-Gazette and New-Sentinel for infrastructure and sidewalk improvements on Wayne Street and Barr Street. There were some add alternates to the project. The estimate for the work was \$300,000.⁰⁰. The work is to commence 10 days after the contract is signed and because of the time of the year, the work needs to begin as soon as possible. At the next meeting the Commission, the Commissioners will be asked to ratify the contract that Mr. Cain will describe. Mr. Cain noted that the bid was envisioned to include a lump sum price. Later some internal review identified a need to replace conduit and electric wiring underground to connect the street lights and a second alternate to replace the street light foundations. The lighting that is being replaced is approximately 25 to 30 years old and not at current standards. Alternate 3 would level some sidewalks on the Barr Street and in front the CANI building and Cottage Flowers. Key Concrete's bid was \$293,925.⁰⁰ and Hipskind's bid was 354,020.⁰⁰. Staff recommendation is to hire Key Concrete. They have worked for the City previously and have a good record. There is no hesitation in hiring them for this project. Motion for Mr. Leatherman to sign the contract with Key Concrete by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

ADJOURNMENT – Motion to adjourn by Mr. Cox; seconded by Mr. Obergfell. Meeting adjourned at 4:37 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 11 October 2010

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
11 October 2010

TIME: 4:00 p.m.

PLACE: City Council Chambers, Room 128, City County Building, One East Main Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. McElhoe called the meeting to order at 4:00 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Steve McElhoe
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
Gary Lyman, Brownfield Manager
James Lindsay, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: John Wernet, Carson Boxberger

OTHERS PRESENT: None

ALLOWANCE OF CLAIMS: Motion to allow Claims of August 2010 by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 13 September 2010 Regular Meeting and 27 September 2010 Special Meeting by Mr. Cox; seconded by Mr. Obergfell. Motion carried unanimously

NEW BUSINESS

Resolution 2010-22

Approving Change Order Number 2 to a contract with Gerig Ottenweller, LLC for construction related to the Robert Goldstine Bridge

Mr. Leatherman stated that this Change Order will close out the contract for the Robert Goldstine Bridge. The Change Order contains work done during the final phase of construction that was incurred for street barricades, a fire protection system and adjustments to the communication components. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2010-23

Approving an expenditure for the Summit Industrial Park Urban Renewal Area, as amended

Mr. Leatherman noted that he had met with Mr. Wilson of Wayne Pipe and Supply. During a discussion with Mr. Wilson, he mentioned that the landscaping at the corner blocks the sight line to their building as traffic travels west on Washington Center Road. The evergreens and other landscaping at the entrance landscaping are overgrown and diseased. Staff has investigated the situation and a proposal is submitted for consideration to enhance both sides of the entrance. Mr. Lindsay stated that approximately $\frac{2}{3}$ of the traffic into the park enters at that access. He reiterated that the trees were overgrown, unsightly, partially dead and inappropriate for that site. The new landscaping plan envisions a more transparent view from the road into the industrial park. Mr. Lindsay solicited a bid from Lawn & Turf Landscaping based on his knowledge of their experience doing landscaping retrofits. He discussed with them the desire to have landscaping that was hardy given the sometimes severe climatic elements at the entrance, but aesthetically pleasing as to colors and seasons. The bid amount is \$16,500.⁰⁰. Because the Redevelopment Commission still controls 80% of the park and therefore 80% of the Business Association, it is the responsibility of the Commission to select the landscaping contractor. The Redevelopment Commission will bear 80% of the cost and the other 20% will be pro-rated to the other landowners. A discussion of the City's maintenance schedule and contractors ensued. There was only one bid sought for the redesign because of Lawn & Turf's reputation in creating these kinds of landscapes. Mr. Leatherman noted that no design had been created for the entrance and to be able to bid the project, a design would have to be created so that each bidder was bidding on the same project. A discussion ensued regarding using the City's Urban Landscape Designer for input into the plan. Mr. Leatherman stated that he would present the plan to the Department of Planning Services as to the appropriateness of the design and also ask the Urban Landscape Designer for his input. Motion to table the Resolution by Mr. Cox; seconded by Mr. Obergfell. Motion carried without further discussion.

Resolution 2010-24

Approving a contract with Key Concrete for the Wayne and Barr Streetscape project

Mr. Leatherman noted that this the ratification of the contract discussed at the September meeting. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2010-25

Ratifying and approving an expenditure for Parkview Field

Mr. Leatherman stated that this contract is for the repair of windstorm damage to some awnings and related materials at the Right Field line in front of the Parking Garage and the Lincoln Financial Center. Mr. Leatherman has coordinated the contract with Property Management and Risk Management. Because the City is self-insured, the insurance deductible is high and the Redevelopment Commission is not able to tap into an insurance claim. Mr. Leatherman explained that the expense will be deducted from Fund 317 rather than the Stadium Maintenance Fund because the Maintenance Fund must be used for long-term replacement of items such as seats, scoreboard, etc. Nowhere in the Fund document is a provision for insurance claims. The new awning has been installed differently to minimize wind damage. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion

Resolution 2010-26

Approving a Brownfield Grant for Bobby K. McFarthing

Mr. Lyman noted that the building was formerly used as a machine shop and the new owner proposes using the building in a like manner. Mr. McFarthing anticipates hiring 5 to 6 employees for his business. The building has been vacant for approximately 3 years. Mr. Lyman does not anticipate that the investigation will have to go beyond the normal Phase I investigation. After the investigation, if Mr. McFarthing chooses not to purchase the property, the results of the Phase I and possible Phase II will be held by the Redevelopment Department and could be made available to anyone contemplating a purchase of the property within six months. Motion to approve by Mr. Cox; seconded by Ms. Wire. Motion carried unanimously without further discussion

OTHER BUSINESS

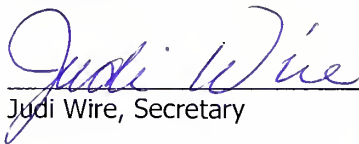
Mr. Guerin asked if there were any plans for the Rifkin (NorthRiver) property now that the Freight House has been taken down. Mr. Leatherman stated that he has no information about any new negotiations that may or may not be going on between the City and the Rifkin family.

Mr. McElhoe asked about the Sweet Cars renovation that is happening on part of the property formerly owned by Dimension Ford. Mr. Leatherman replied that he has had no direct conversations with them but renovations are continuing every day.

Mr. Cox asked about the conversion of the Library Parking Lot on Harrison Street. Mr. Leatherman stated that he has received a quotation for \$36,000.00 from Light & Breuning. Legal Counsel soon will be asked to draw up a legal document with the Library to cap the Redevelopment Commission's cost to that one expense and split the revenue for a full year, with a review of operations at the end of that time. There will be separate agreements with other parties, including the CVB concerning improvements to the streetscape but there will be no cost sharing involved in those improvements. The Redevelopment Commission's obligations are just for the parking lot equipment.

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. Obergfell. Meeting adjourned at 4:30 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 8 November 2010

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
08 November 2010

TIME: 4:00 p.m.

PLACE: City Council Chambers, Room 128, City County Building, One East Main Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. McElhoe called the meeting to order at 4:00 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Steve McElhoe
Thom Obergfell
Judi Wire
Steve Corona

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: Bruce Johnson, Planner, Planning & Policy Department
Kienan O'Rourke, Assistant Planner, Planning & Policy Dept.
Terry Thornsburg, Viridian Architectural Design, Inc.
Doug Kinder, Michael Kinder & Sons, Inc.

ALLOWANCE OF CLAIMS: Motion to allow Claims of August 2010 by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 11 October 2010 Regular Meeting by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously

Presentation by Community Development Planning and Policy Department regarding "Walk Fort Wayne" plan

Mr. Leatherman stated that the Planning Department and Redevelopment Department have been coordinating efforts for some time to link sidewalks and bike paths in places that that could be funded with TIF dollars following the individual Economic Development Area/Urban Renewal Area plans that are in place for each area. Where there are TIF Districts that could help fund those projects, the Redevelopment Commission will be asked to participate. Mr. Johnson and Mr. O'Rourke presented an overview of the 'Walk Fort Wayne' plan. Mr. Johnson noted that the "Walk Fort Wayne Plan" will soon go to the City Plan Commission and then to City Council with the intent to be included as an amendment in the Plan-It Allen Comprehensive Plan. Mr. O'Rourke commented that on Meijer Drive linking Maysville to St. Joe Center Road adjacent to Chapel Ridge, the CD Planning Department is proposing sidewalks construction. Meijer Drive is in a TIF District and CD Planning is asking for \$400,000.⁰⁰ of TIF funding for the project. The project plans include an 8 foot-wide trail on the west side of the street and a 5 foot-wide sidewalk on the east side that will eventually connect with the Maysville Road widening project. The intent is to connect the businesses along Meijer Drive and eventually the surrounding neighborhoods with sidewalks and urban trails. Eventually the plan is to connect Jefferson Middle School and St. Joe Center Road with sidewalks and trails. A discussion of the sidewalk and trail surfaces ensued. Ms. Wire suggested, that during construction, businesses should be mandated to build sidewalks at the same time they are completing landscaping. She suggested that the cost should initially be borne by the developer as part of the construction. Mr. Johnson stated that the amendment to the Plan-It Allen proposes and endorses that, but those changes will take an action by City Council to amend the Ordinance. Mr. Johnson stated that the new Transportation Plan conceptually integrates both pedestrian and multi-modal transportation. Mr. Leatherman noted that the TIF funds being used to pay for the sidewalks comes from the property taxes that are collected from the commercial properties that are within the Maysville/Stellhorn Road Economic Development Area. In answer to Mr. Obergfell's question, Mr. Lindsay stated that the Redevelopment Commission's portion of the Maysville Road construction project would probably be between \$2 and \$2.5 million and used as part of the local match. The Redevelopment Commission has collected tax increment in anticipation of the project, but the State of Indiana is not ready to begin construction (Maysville Road, Indiana Highway 34 is a state road). Mr. Guerin suggested that a sidewalk is desperately needed on West Jefferson from Rockhill Park to Parkwest Shopping Center. Mr. Leatherman stated that he has had conversations with Dawn Ritchie concerning that section of West Jefferson and has indicated that Redevelopment Commission might be in favor of investigating financing for trail segment there.

NEW BUSINESS

Resolution 2010-27

Approving funding for public infrastructure improvements in and serving the Maysville Road Stelling Road Economic Development Area

There was no further discussion regarding the Meijer Drive sidewalk project. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

Resolution 2010-28

Approving the use of funds for the Ardmore Avenue corridor project

Mr. Leatherman stated that along the Ardmore/Hillegas Road corridor, there are County-approved TIF districts. When a significant portion of the Cook Road/Hugenard Road was annexed, the Redevelopment Commission ceded jurisdiction to the County so that they could continue to collect the tax increment to complete the projects that had been determined to be essential to the area and followed the Northwest Infrastructure Plan. A condition of the Agreement was that when the projects were completed, any remaining funds would be turned over to the Fort Wayne Redevelopment Commission from the Allen County Redevelopment Commission. There was \$354,598 left in the County Hugenard Road TIF fund. Staff has received the money and has deposited it temporarily in the Redevelopment Capital Fund. Staff has been talking to the Board of Works about any projects they might be contemplating. As no critical projects have been identified by either wet or dry utilities, our legal counsel, John Wernet, suggested that since the area is at the north end of the Ardmore corridor, the Redevelopment Commission should consider using those funds to pay down expenses on the Ardmore widening and landscaping project since it relates to corridor improvements that are consistent with the Northwest Infrastructure Plan. That would free up money in the Baer Field TIF fund for future projects in the Baer Field Economic Development Area. Motion to approve by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2010-29

Approving an acquisition value for real estate located adjacent to the Summit Industrial Park Urban Renewal Area, as amended

Mr. Lindsay reminded the Commissioners of the proposed acquisition of the former railroad right-of-way corridor adjacent to Summit Park II located between Cook Road and Ludwig Road. The key reason for the purchase is to provide a link for the Urban Trails Corridor. This piece of real estate is strategic to the connectivity for Urban Trails in Fort Wayne. The rail corridor was appraised by two independent appraisers. The average of the two appraisals is \$95,250.⁰⁰. Mr. Lindsay has examined the Appraisals and they are very thorough. He is comfortable with the average of the appraisals. Mr. Leatherman stated that the Commission will be the Title holder for the property when acquired. This piece is between Ludwig and Cook Roads. Motion to approve by Mr. Cox; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2010-30

Approving plans and specifications for the Midwest Veterinary Supply development in the Summit Industrial Park Urban Renewal Area

Mr. Lindsay noted that in September 2010, the Redevelopment Commission approved a Purchase Agreement with Wayne Estates, LLC. They have hired Viridian Architectural Design to produce plans for the Midwest Veterinary Supply. Mr. Leatherman stated that the plans submitted meet the basic requirements regarding operation, use, material, setback, parking, etc. for the development. Ms. Wire asked about the bays on the west side of the building and Mr. Thornsbury answered that 5 of the bays will be used for trucking, the 6th will be for drive-in deliveries and the 7th will hold a dumpster. The development will have approximately 20 employees. Mr. Thornsbury stated that the parking lot is oversized in anticipation of future growth. At this time, there are no plans for outside signage other than on the entry door. The landscape plans were designed by a Landscape Architect and are within the directives of the Covenants. Mr. Kinder noted that several soil borings have been completed and the soil is adequate for construction purposes. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2010-31

Ratifying and approving a contract with Hamilton Hunter Builders for the Harrison Square project

Mr. Leatherman stated that a parking lot was completed on West Jefferson by Hamilton Hunter Builders. Parking lot management negotiations are on-going with Courtyard by Marriott for temporary use of those spaces for Champions and the hotel. The lot's future use is tied to the retail component of The Harrison development. The Marriott will lease the 25 spaces on a month-to-month basis and will work with the Grand Wayne Center and Embassy when the need arises for their events. This parking lot has always been part of the intended use of that parcel and was submitted as part of the primary development plan. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

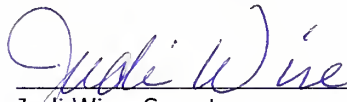
OTHER BUSINESS

- Summit Park Landscaping – Mr. Leatherman stated that he has spoken to the Department of Planning Services and they confirmed that this particular landscaping plan does not require approvals from Land Use because it is an interior landscaping space. Tom Cain did a

thorough review of the plan and the criticisms Mr. Cain had were presented to Erv Denning of Lawn & Turf. Mr. Leatherman's concerns regarding the landscaping plan centered around whether there would be enough plantings that the landscaping would be visible during the winter months. Mr. Leatherman reminded the Commissioners that the reason for replanting the landscaping was that the current planting beds are overgrown and block the views into and from the entrance to the Park and the current landowners. Lawn & Turf stated that their plan would require normal maintenance including mulching and maintenance twice a year. All the landowners in the Park will pay a percentage of the landscaping costs per their acreage. The landscaping contract will be with the Owners' Association. Currently, the Redevelopment Commission is the largest landowner in the Park. There will be a new resolution brought to the Commission meeting when all the details and pricing are complete. Mr. Leatherman noted that the landscaping contract should be between \$15,000.⁰⁰ and \$16,000.⁰⁰. Ms. Wire made a motion to engage Lawn & Turf as the landscaping contractor; seconded by Mr. Oberfell. Motion carried unanimously without further discussion.

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. McElhoe. Meeting adjourned at 4:55 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Judi Wire, Secretary

Adopted: 28 December 2010

FORT WAYNE REDEVELOPMENT COMMISSION
Special Meeting
28 December 2010

TIME: 4:00 p.m.

PLACE: County Commissioners Courtroom, Room 200, City County Building, One East Main Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:00 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Judi Wire
Casey Cox
Steve Corona

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist

COUNSEL PRESENT: John Wernet, Carson Boxberger
Larry Shine, Associate City Attorney

OTHERS PRESENT: Steve Brody, Brody Consulting LLC
Tim Haffner, Baker & Daniels
John Urbahns, Community Development Director

ALLOWANCE OF CLAIMS Motion to allow claims of October 2010 by Ms. Wire; seconded by Mr. Cox. Motion carried without further discussion

APPROVAL OF MINUTES Motion to approve minutes of 08 November 2010 Regular Meeting by Mr. Cox; seconded by Ms. Wire. Motion carried without further discussion

OTHER BUSINESS – Harrison Square Discussion

Mr. Leatherman reminded the Commissioners of the meeting 91 days prior where the Commission asked our attorneys to draft, execute and send a letter to both Barry Real Estate and Hardball Capital indicating they were in default of the Harrison Square Condo/Retail Development Agreement. Both parties received those letters on October 29th. At the time the letters were sent, there had been discussions regarding "curing" the default and what that meant. Technically, curing the default would mean that the building was completed, which was not possible in the 90 days. The Commission allowed the cure of default to be defined as something less than construction, which is possible under the Agreement. From the Commission's point-of-view, the "cure" would be proof of financing which would lead to a construction start date soon after the weather allowed in 2011. The last 90 days has been a very active time for the developer in this still difficult economic environment. Mr. Schoen, as the developer for Barry Real Estate, has been able to complete the preparation of a Lending Request Package that was sent to 12 local banks for an \$18 million project, asking for \$9 million in loans. The local banks responded by stating that they would prefer a financing package for \$8 million. Several of the banks suggested that Mr. Schoen find a local equity partner. Mr. Schoen asked a very prominent local developer if his firm would be willing to partner with an equity stake in the project. The local developer and Barry Real Estate have reached an agreement to partner. The equity partner's contribution satisfied the banks' concern concerning the amount of the loan. The loan package was resubmitted to the banks and three banks have responded positively with significant loan commitments for the Harrison project. All of the banks have indicated that they would like Mr. Schoen to have a commitment from a Lead Lending Bank similar to what Centier provided for White Lodging in their financing request. The smaller banks, who have committed to lending millions of dollars, are more comfortable with lead bank financing. A lead bank would provide more experience in financing an \$18 million project. The final hurdle is obtaining some of the Debt Coverage Ratios, the amount of debt coverage that is covered in leases. There needs to be more money to cover the debt than the actual debt. Mr. Schoen is making progress at converting some of the anticipated tenant's Letters of Credit into actual leases. He should be able to meet the threshold with one or two additional smaller leases. There are other outstanding issues including New Market Tax Credits. Real progress had been made on the leasing, lending and equity fronts to the point where there has been significant progress toward meeting the goals. The Redevelopment Commission needs to decide if this body would allow more time, because of the Holidays, for loan agreements to be fully executed. Mr. Leatherman suggested that the Redevelopment Commission meet on January 12 or soon thereafter to allow Barry Real Estate to have signed and binding Agreements to present to the Commission. Motion to defer the Default Agreement of December 29 for 14 days by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Mr. Guerin left the meeting and turned the proceedings over to Mr. McElhoe, Vice President. The Claims were approved and the Minutes of the Regular Meeting were approved as submitted.

NEW BUSINESS

Resolution 2010-32

Ratifying and approving an expenditure for parking control signage for the Harrison Square Parking Garage

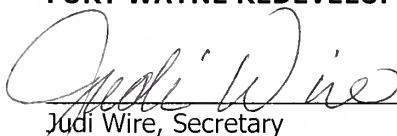
Mr. Leatherman noted that under the Agreement between the Redevelopment Commission and the Marriott Courtyard Hotel, the Redevelopment Commission is responsible for appropriate signage in the Harrison Square Parking Garage. That signage includes identification of spaces that are available for use by both patrons of the hotel and directional signage. There is a cost split with the Hotel for signage that identifies parking on certain floors of the Garage. Each space that could be used by a White Lodging guest is identified by one of those signs. The Redevelopment Commission is being asked to pay a portion of the costs, which is \$13,276.29. Mr. Cox asked if maintenance dollars could be spent on these kinds of items and Mr. Leatherman replied that these initial costs should not come from the Maintenance Fund but any costs after the initial installation would come from the Maintenance Fund. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

OTHER BUSINESS

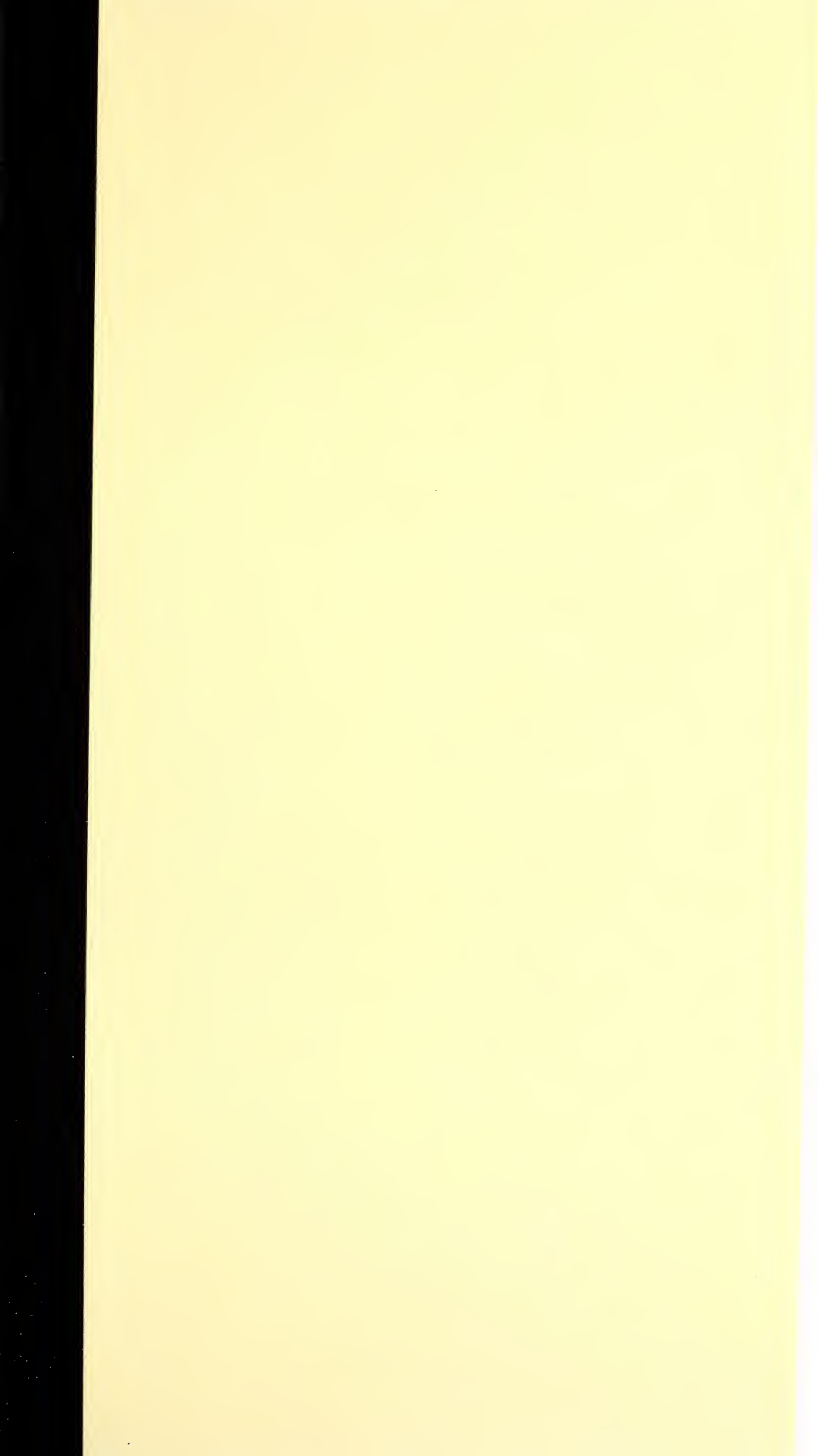
- **Jefferson Pointe Road Improvements** – The local management of Jefferson Pointe is very committed to finally addressing the troublesome traffic issues caused by the 4-way stops within the complex. The management knows that Apple Glen Blvd (a private drive) is being used as a public right-of-way by many people. They also know that the road needs to be built to City specifications to be accepted as a public road, which means turn lanes, pedestrian improvements, curbing and other improvements. The Jefferson Pointe management has provided estimates and intends to have more detail soon. Several years ago, the Redevelopment Commission passed a resolution that encumbered funds to help defray some of the costs for signalization on Apple Glen Blvd. Because the street will be a public right-of-way, the costs have increased significantly. The consensus is that the improvements will enhance Jefferson Pointe and make a better shopping experience there. The Jefferson Pointe management team will be at a future Redevelopment Commission meeting to update the Commissioners and Staff. It makes sense that the Redevelopment Commission would be involved in these improvements because the Commission has been a part of improvements in the area including the Ardmore Truck Route, sound barriers to protect the residents of Wildwood Park and other improvements in the area. The Jefferson Pointe group has been successful in obtaining the cooperation and land contributions that need to be made because every business recognizes the problems and every business has an obligation to contribute.
- **Summit Park II** – the contractors are moving forward with the development of Midwest Veterinary Supply.

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. Cox. Meeting adjourned at 4:20 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION


Judi Wire, Secretary

Adopted: 27 January 2011





FORT WAYNE REDEVELOPMENT COMMISSION

Special Meeting

27 January 2011

TIME: 3:00 p.m.

PLACE: City Council Chambers, Room 128, City County Building, One East Main Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. McElhoe called the meeting to order at 3:06 p.m.

ROLL CALL: Christopher Guerin by telephone
Casey Cox
Steve McElhoe
Thom Obergfell
Judi Wire
Steve Corona

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: None

ALLOWANCE OF CLAIMS: Motion to allow Claims of November 2010 by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 28 December 2010 Special Meeting as amended to replace Letters of Credit in the Harrison Square Discussion with Letters of Intent by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously

NEW BUSINESS

Resolution 2011-01

Ratifying and approving Change Order #1 to a contract with Key Concrete for the Wayne & Barr Streetscape project

Mr. Lindsay explained that the Commission passed Resolution 2010-24 that approved a \$300,000.⁰⁰ budget for the Wayne & Barr Streetscape. There were some minor unforeseen issues including underground, directional bored conduit for lighting, concrete replacement under existing pavers on Barr Street and tree grates on Barr and at the Market Plaza that needed work. The total cost for this Change Order is \$5,744.⁰⁰. The total contract with Change Order #1 included is now \$299,669.⁰⁰. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2011-02

Approving a contract for professional legal services with Carson Boxberger

Mr. Leatherman stated that this Resolution is the yearly approval for legal counsel by Carson Boxberger in connection with the Commission's undertaking planning and execution of projects. The hourly rate remains the same at \$175.⁰⁰ per hour. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

OLD BUSINESS

Harrison Square Discussion

Mr. Leatherman noted that Redevelopment Commission staff has been pursuing a two-pronged approach to the final development in the Harrison Square project. Recently there were discussions regarding Barry Real Estate and their ability to complete this project. Financing has been very difficult because of the on-going economic crisis not only for Barry Real Estate but for many commercial projects like this around the city of Fort Wayne and the country. The Redevelopment Commission has been monitoring Barry's progress and is now pursuing a Supplemental Agreement. Mr. Leatherman with City legal counsel has been creating a document that would protect the City and the taxpayers by laying out terms and conditions. This document acknowledges that Hardball Capital and Barry Real Estate entered into an Agreement with the City and the Redevelopment Commission to create private investment at this site. The Supplemental Agreement also noted the needed for collateralization. Broadly, the Agreement states that if the project is not completed as committed, over time Barry Real Estate and Hardball Capital would pay the City of Fort Wayne and the Redevelopment Commission approximately \$2.4 million because of their failure to launch. During the past few weeks, Barry Real Estate has secured almost all the leases necessary to secure their financing with PNC as lead bank. PNC has oversubscribed the debt and there is still the belief that other area banks will want to participate. Barry also has secured a private equity investor. This is a complicated financing package. Part of the financing includes CRED Tax Credits and New Market Tax Credits that were offered by the State of Indiana. Establishing the value of the CRED Tax Credits requires investors to bid and transfer those Credits for actual equity. Very soon, Barry plans to have

all the leases and financing options in place to satisfy the Redevelopment Commission and they are poised to begin the development. Hardball Capital and Barry Real Estate have signed the Agreement; the Redevelopment Commission is the last body to sign the Agreement. Mr. Leatherman reminded the Commissioners that while Harrison Square was a publically financed project, at its core, The Harrison is a privately financed project; the City is not responsible for the debt or the equity of this project. Those leases and financing are being structured and negotiated between Barry, our local banks, equity partners and businesses that want to be a part of this project. As such, neither the Redevelopment Commission nor the City has the power to intervene in those leases. It has been frustrating for some people because the Commission has not more active in announcing who the tenants might be and what the terms of the agreements are. The terms or leases for the Harrison were not negotiated by the City or the Redevelopment Commission and neither are responsible for the debt or the leases. Mr. Schoen will be Fort Wayne soon and will be able to specifically talk about the leases that are signed and who the tenants will be. Mr. Schoen may introduce his partner(s) at a time and place of his choosing. The banks have seen all the documents and they believe that the project will happen.

Mr. Shine stated that the Agreement has been a work in process. Documents have been signed by Barry Real Estate and Hardball Capital. The overriding theme of the Supplement Agreement is not a punishment but to ensure the project goes forward. December 28, 2010 was the date that Barry was given to perform under the Development Agreement. That Agreement gave Barry an additional 30 days, from December 29 2010 to January 28 2011, without "cure" payments to work on the project. Consistent with the terms of the original Stadium License Agreement between the City and Hardball, Barry has the right to extend the "cure period" for an additional 60 days for \$5,000.⁰⁰ a day. The Agreement allowed an additional 30 day cure period and a possible 60 days for Barry to satisfy the Redevelopment Commission and prove it has performed adequately under the Development Agreement. The Supplemental Agreement has been structured to address compensation in case the project does not go forward. The Agreement states that should Barry not satisfy the Commission within the allotted time, Barry agrees to pay the City to sum of \$500,000.⁰⁰ and Hardball agrees to expend a total of \$1,950,000.⁰⁰. The Barry obligation can be paid with a \$250,000.⁰⁰ down payment and the balance paid over a six month period, with credits being given for any payments that it made during the extension period. Barry would be able to collateralize the \$500,000.⁰⁰ payment with the personal assets of Mr. and Mrs. Schoen. If the project does not move forward, Barry will give the City rights to any tangible and intangible property related to the project, including site improvements, rights to architectural plans and the name Harrison Square. Barry will also have to release any rights that it has to develop the project. They would also have to prove that the vendors who have been engaged to date are fully paid.

Hardball's \$950,000.⁰⁰ obligation is essentially a \$50,000.⁰⁰ a year payment to the City of Fort Wayne for the balance of the initial term of the lease over the remaining term of the lease. Additionally, Hardball has agreed to make \$1,000,000.⁰⁰ of capital improvements, over a 10-year period, to the stadium in \$100,000.⁰⁰ increments per year. The improvements must be approved by the stadium Advisory Board. Hardball has also agreed to guarantee \$200,000.⁰⁰ of the Barry payment. Hardball's obligation of \$1 million of capital improvements, the \$950,000.⁰⁰ of direct payments and the Barry guarantee are all secured by Hardball's share of the Parkview Naming Rights revenues.

Mr. Shine stated that the initial cure period ends on January 29, 2010. Mr. Leatherman noted that this Supplemental Agreement delineates precisely what the city should receive for Barry's failure to launch; this was not part of the original agreement. Mr. Leatherman stated that there is a requirement by the bank that 7,500 square feet of the space be lease at \$20.⁰⁰ per square foot average in order for Barry to obtain the financing. At this time, Mr. Schoen has provided Redevelopment Commission staff with retail leases that fall just short of that mark. The bank required that the entire second floor have fully-executed lease. Mr. Schoen has that lease in hand. The local banking community recognized that the time was right to fund the project. Mr. Schoen will be in Fort Wayne within the week to meet with the local contractor and the architect to finalize the design. A discussion of Tax Credits ensued.


Resolution 2011-03

Approving a Supplemental Agreement with Hardball Capital, LLC, Fort Wayne Professional Baseball, LLC and Barry Real Estate Companies, Inc.

No further discussion. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. Obergfell. Meeting adjourned at 3:40 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION


Judi Wire, Secretary

Adopted: 14 February 2010

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
14 February 2011

TIME: 4:30 p.m.

PLACE: City Council Chambers, Room 128, City County Building, One East Main Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:35 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Steve McElhoe
Thom Obergfell by telephone
Judi Wire
Steve Corona

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: None

ALLOWANCE OF CLAIMS: Motion to allow Claims of December 2010 by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 27 January 2011 Special Meeting by Mr. Cox; seconded by Mr. McElhoe. Motion carried unanimously

NEW BUSINESS

Discussion

Annual Report Draft

Mr. Leatherman asked the Redevelopment Commissioners to read the Annual Report and submit any changes or additions that they feel should be made. He also noted that Jim Lindsay is working with IACT (Indiana Association of Cities and Towns) and RAI (Redevelopment Association of Indiana) to propose a change in legislation that would change the date the report is due. According to Indiana Code the Report must be submitted to the unit's executive (Mayor) within thirty (30) days after the close of each calendar year. The recommendation will be that the date be changed to March 1 so that larger Redevelopment Commissions can submit a complete report. Indiana Code requires that a complete financial report be part of the Annual Report and many Cities do not close their books until sometime in March. Mr. Leatherman noted that previously the Annual Report has been used as a marketing piece for the Commission. With a due date of January 30, it is impossible to have an Annual Report of that quality completed. When full marketing pieces were done, the Annual Report was distributed to Libraries and Universities as a basis for research projects.

The Harrison Development

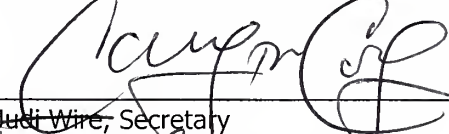
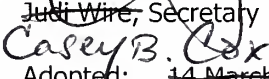
Mr. Leatherman stated that the City, represented by Mayor Henry, and Chris Schoen of Barry Real Estate unveiled the highly anticipated start of The Harrison development. Mr. Schoen announced the fully-executed leases for 3 tenants and introduced those tenants to the people assembled at the Grand Wayne Center. One of the tenants is Carson Boxberger, who will utilize the entire 24,000 sf second floor. On the ground floor will be Three Rivers Federal Credit Union at the western end and O'Reilly's Irish Pub, an establishment with a presence in downtown Indianapolis, will occupy approximately 4,000 square feet. Cardinal Fitness has indicated that they are in the process of negotiating a lease and intend to occupy space on the first floor. Mr. Schoen also indicated that he has reserved 7,500 sf on the east side of the complex to attempt to renegotiate with Scotty's Brewhouse. Mr. Schoen also indicated that he intends to build forty-two apartments on the third and fourth floors. They will be one and two bedroom apartments, more of which will be two bedrooms. The starting rent will be \$850.⁰⁰ for a one bedroom apartment. The apartments all will contain several upgrades, including stainless steel appliances and granite countertops. The apartments on the north side of the building will have access to view the ball park. PNC has sent Mr. Schoen a letter indicating that Barry has more than exceeded 75,000 sf of leased spaces that PNC required. PNC has indicated that they wish, if possible, to place the entire loan package at their bank and also indicated that they would be willing to purchase the Tax Credits that are part of the equity side of the project. Design Collaborative and Hagerman Construction will be the construction team for the project. Mr. Schoen indicated that the team was expecting to be able to pull foundation work permits and begin work by April 1, 2011. If that timing works, they anticipate ground breaking May 1. Project completion should be April 2012.

Mr. Leatherman referenced the Supplemental Agreement that was adopted with Barry Real Estate and Hardball Capital that states the two entities would pay approximately \$2.4 million to the City over time if the project is not completed. Essentially, the Agreement stated that if the project failed to launch, the Agreement would be set in motion. The Redevelopment Commissioners agreed that the Agreement was not meant to be punitive. Mr. Schoen has provided Mr. Leatherman with two checks totaling \$70,000.⁰⁰ to extend the waiting period for two weeks. Mr. Leatherman and Mr. Shine scrutinized the Agreements and realized that there was an amendment needed to continually look after the interest of the City and the Redevelopment Commission. That amendment was to extend the Supplemental Agreement beyond the start of construction to completion of the project. The Agreement will be in full effect until the project is completed and the Agreement now demands the project be completed by December 31, 2012. Based upon rapid progress Barry Real Estate was able to announce today, they have a bank ready to make a loan, partners ready to provide equity, tenants with signed and executed leases, a construction firm ready to begin construction with plans that have already been designed. While technically the project has not started construction, staff is asking the Redevelopment Commission to suspend the enforcement of punitive monetary provisions within the Agreement. The provisions in the Agreements are still in place and they have been acknowledged by both Jason Frier of Hardball Capital and Chris Schoen of Barry Real Estate. Should this project not be completed, all the provisions within the Development Agreement and Supplemental Agreement will still be in full force and effect, including the collateralization of the Naming Rights. Staff wants to help maintain the positive momentum provided by the proof of financing and the signed tenant leases. Mr. Shine stated that the Redevelopment Commission will be asked to make a determination at this time that Barry Real Estate has adequately performed under the 3.2 of the Development Agreement. One of the components of the financing and condition of the PNC's financing is to obtain the New Market Tax Credits, which is part of the equity piece. Mr. Shine feels that it is unrealistic for the Redevelopment Commission to say that Barry has not yet performed under the Agreement at this time, but the Commission must still be able to enforce the conditions under the Agreements. Barry Real Estate and Hardball Capital both have agreed and understand that if a Certificate of Occupancy has not been requested by December 31, 2012 or the project did not launch, the Agreements would be acted upon. Mr. Leatherman stated that the Commission can act to either return the two checks totaling \$70,000.⁰⁰ to Barry Real Estate and rely on the \$500,000.⁰⁰ in the Agreement or retain the checks. Mr. Leatherman stated that he would like to show "good faith" and asked the Commissioners to consider returning the checks to Barry Real Estate. Some people have asked what the amount of loss to the tax base was because the project is late; because of abatements and other incentives, the City was not able to collect taxes of \$3,300.⁰⁰ in 2011. Mr. Guerin feels that keeping the checks seems punitive and the Commission has been dealing with timing issues regarding meetings and getting things in place has been part of those issues. He feels the checks are unnecessary because of other guarantees. Mr. Shine agreed that the payment by Barry Real Estate was not meant to be punitive and they have used this additional two weeks to get to where the Commission expects them to be. Mr. Cox suggested that the checks be kept uncashed or in an escrow account and returned after a predetermined amount of time after construction has begun. Mr. Leatherman noted that the City asked Barry Real Estate to hold off their announcements until a time could be coordinated so partners to the contracts could be present. A discussion of the timing in receiving the New Market Tax Credits and the CRED Tax Credit ensued. Mr. Leatherman noted that by returning the checks, the Redevelopment Commission is not giving up any of the remedies under the Agreements. Ms. Wire made a motion to return the checks to Barry Real Estate; seconded by Mr. McElhoe. Mr. Cox voted against the motion. Motion passed without further discussion. MR. OBERG-FELL DID NOT CAST A VOTE.

Mr. Guerin thanked Mr. Leatherman for his work, diplomacy and good judgment in getting this very complicated project to where it is today. Mr. McElhoe noted that Chris Schoen stated at the press conference that they that the usual number of projects they have at one time is 8 or 9, but in these economically challenged times, The Harrison is the only project they are working on. Mr. Leatherman also noted that White Lodging normally has 14 projects in process every year and that Mr. Yiankes told him during 2010 they only opened 2 hotels.

ADJOURNMENT – Motion to adjourn by Mr. Cox; seconded by Mr. McElhoe. Meeting adjourned at 5:40 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION


Judi Wire, Secretary

Adopted: 14 March 2010
11 April 2011

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
11 April 2011

TIME: 4:00 p.m.

PLACE: City Council Chambers, Room 128, City County Building, One East Main Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:35 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Steve McElhoe
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: None

ALLOWANCE OF CLAIMS: Motion to allow Claims of January 2011 by Mr. McElhoe; seconded by Ms. Wire. Motion to allow claims of February 2011 pending corrections to Fund Balances by Mr. Cox; seconded by Ms. Wire. Both motions carried unanimously

APPROVAL OF MINUTES: Motion to approve Minutes of 14 February 2011 Regular Meeting by Mr. Cox; seconded by Mr. McElhoe. The Minutes were amended to show that Mr. Obergfell attended the meeting by telephone and therefore could not vote. Motion carried unanimously

NEW BUSINESS

Election of Officers

Mr. McElhoe nominated Mr. Guerin to retain his position as President; seconded by Ms. Wire. Mr. Guerin accepted. There were no other nominations. Election of Mr. Guerin carried unanimously. Mr. Guerin will retain his position as President.

Ms. Wire nominated Mr. McElhoe to retain his position as Vice-President; seconded by Mr. Cox. Mr. McElhoe accepted. There were no other nominations. Election of Mr. McElhoe carried unanimously. Mr. McElhoe will retain his position as Vice President.

Ms. Wire nominated Mr. Cox for the position of Secretary; seconded by Mr. Obergfell. Mr. Cox accepted. There were no other nominations. Election of Mr. Cox as Secretary carried unanimously. Mr. Cox began his tenure as Secretary for 2011.

Resolution 2011-04

Approving an expenditure for landscape maintenance and related services for the 2011 to 2012 growing season for Summit Industrial Park II and the Anthony Wayne Trace Industrial Park area

Mr. Lindsay explained that since 2007 the City's Property Management Division has bid the mowing contracts for many city-owned properties per a combined landscape maintenance program. Bidding these contracts collectively has resulted in decreased costs to the City departments participating. The best and most responsive bid for landscape maintenance at Summit Park II was from Homescapes in the amount of \$5,300.⁰⁰. Landscape maintenance in the Anthony Wayne Trace Industrial Area will be done by Yard Jobs for an annual cost of \$2,475.⁰⁰. Mr. Lindsay noted that the bids were very good but he suggested that an additional \$2,225.⁰⁰ be added to the contracted amounts to include the cost of unanticipated maintenance such as storm damage, trash pickup of discarded matter, etc. Motion to approve by Mr. McElhoe; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

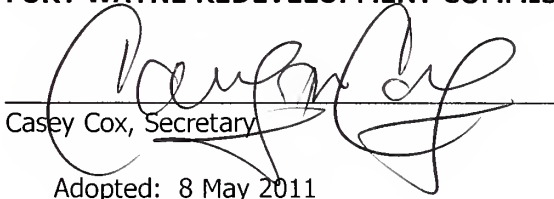
OTHER BUSINESS

- Close out of Barr Street Improvements – Mr. Leatherman stated that infrastructure work on Wayne & Barr Street around Citizens' Square is complete. Sidewalks were refurbished on Barr Street between the History Center and Washington Blvd and sidewalk frontage was reconstructed on Berry Street at Citizens Square. Improved lighting was also installed in some areas. The project came in slightly under budget and will provide improved pedestrian safety.

- Summit Park II Update – There is a local manufacturer considering expanding in Summit Park II. They are looking at tracts 11 and 12 which comprise approximately 14 acres of land. Indiana & Michigan has part of that acreage designated for a substation but has generously agreed to change the location of their substation in the Park if this expansion takes place. The selling price of the land is estimated to be approximately \$600,000.⁰⁰. All Sales Agreements must be approved by the Redevelopment Commission.
- Annual Report – Mr. Leatherman reminded the Commissioners that a copy of the draft Annual Report was distributed at the February meeting. Some changes to the section regarding Parkview Field have been made since that time and a copy of those changes was distributed to the Commissioners before the Regular meeting convened. There was a consensus of the Redevelopment Commissioners that the Annual Report should be given to the Mayor at this time.
- Personnel Update – Mr. Leatherman stated that the position of Brownfield Manager has been eliminated and a new position of Grants Administrator has been created. Because local environmental companies are so aware of the City's Brownfield Grant program, there is no need to have a dedicated position for program marketing. When a piece of ground is in need of environmental testing or remediation, the environmental companies know the City has a grant program to aid in the effort. The brownfield program is funded from CEDIT dollars so those Grants will not need to be approved by the Redevelopment Commission. Mr. McElhoe asked that the Commission be kept apprised of the brownfield grants and progress made with the grants. This new position will also oversee both the commercial and Downtown façade grant programs and will function as a liaison with people and groups who interact with the Redevelopment Department. The new Redevelopment Specialist – Grants Administrator will be an entry-level position. Julie Sanchez has been promoted and now has a position in the Mayor's Office. Her old position has been reconfigured and will now need to have a person who is familiar with construction and blueprints. The job description is still being examined in the Human Resources Department, but will be filled as soon as possible. Both of these new positions will start after the move to Citizens' Square on April 22 and 23.

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. McElhoe. Meeting adjourned at 4:20 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Casey Cox, Secretary

Adopted: 8 May 2011

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
09 May 2011

TIME: 4:00 p.m.

PLACE: City Council Chambers, Room 128, City County Building, One East Main Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:05 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Steve McElhoe
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
Tom Cain, Urban Landscape Designer
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: CK Products

- Chad Sweeney – Ginovus
- Mark Bredemeier – Architect, KBA Incorporated
- Steve Burdick, General Manager, CK Products
- Johnathan Evans – Evans Engineering, Cincinnati

ALLOWANCE OF CLAIMS: Motion to allow Claims of March 2011 by Mr. McElhoe; seconded by Mr. Obergfell. Motion carried unanimously.

APPROVAL OF MINUTES: Motion to approve Minutes of 11 April 2011 Regular Meeting by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously

NEW BUSINESS

Resolution 2011-05

Approving a Contract with Leeper's Lawn Service for landscape installation and maintenance for the Parkview Field South Parking Lot at Harrison Square

Mr. Leatherman noted that these improvements were scheduled after the decision to keep the lot as a permanent part of the parking venues around Harrison Square and Parkview Field. Mr. Cain explained that upgrades to the Parking Lot south of Parkview Field were deferred by the Board of Zoning Appeals until Spring 2011 when development activities around the Lot were completed. The project is intended to be modest in its initial scope and expense. The landscaping will address shade trees, screening and lawn requirements, including some lawn areas that have not progressed as well as hoped since the initial seeding. The project was invitationally bid to five qualified local landscape contractors who have previously worked on City projects. Bids were received from four of the contractors. The most responsive bid was from Leeper's Lawn Service at \$10,500.⁰⁰. Although there was a great deal of disparity in the amounts of the bids, Mr. Cain is certain that Leeper's Lawn Service will be efficient and effective in their performance. Mr. Leatherman stated that the parking lot has suffered from winter conditions, especially from snow removal on the west side. There will need to be some resurfacing done when the baseball season is over in September. Staff will also address the way snow was piled by the contractor during the winter and what seems to be excessive use of ice thawing material. In answer to Mr. Cox's question, Mr. Leatherman stated that the Commission does own the lot but it is not part of the Stadium Agreement and repairs should be paid from funds other than the stadium's long-term maintenance fund. A discussion of the types of trees and shrubbery to be planted ensued. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

OTHER BUSINESS

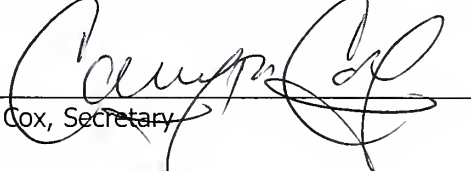
- Proposal to purchase tract of land in Summit Industrial Park II – Mr. Leatherman introduced the officials from CK Products and their development team. Mr. Leatherman noted that Indiana Michigan Power owned a tract of land adjacent to the planned development for CK Products but they have agreed to take another parcel along the eastern boundary to facilitate CK Products' expansion plans. Mr. Sweeney explained that Ginovus is a site selection firm and was hired by CK Products to evaluate and select a site for their new manufacturing and distribution facility. Mr. Sweeney worked with the NE Indiana Regional Partnership to solicit statistics from approximately five sites in northeastern Indiana. Through this process, Summit Park II was identified as the preferred site for the Company. CK Products intends to build an 85,000 sf facility. There are approximately 88 existing employees in Fort Wayne, all of which would be retained, and CK Products anticipates hiring 40 new employees over the next 3 to 5 years. The estimated investment is \$5 million for the new facility, exclusive of land acquisition costs. There will be a \$2 million investment in personal property that

includes furniture, fixtures, equipment and IT equipment. Mr. Burdick stated that CK Products is a candy and cake-making product wholesaler and they supply many of the products for the cake and candy programs on the Food Network. He stated that they manufacture icing, colored sugar and key decorating and candy making ingredients. They also manufacture plastic molds and baking pans. Their targeted markets are specialty baking and cooking shops. Locally, they sell to Country Kitchen, Halls and Cookie Cottage. They also sell to many high-end bakeries across the country. They have about 10,000 customers and have started to do a lot of exporting and private labeling for celebrity chefs. The business is growing. Some of the reasons Fort Wayne was chosen include access to I69 and other transportation corridors, the existing workforce, the ability to expand and the closeness of some major customers. Working with the Alliance and Economic Development staff on incentives made the expansion in Fort Wayne cost effective. Mr. Evans explained the building, parking and landscaping and drainage plans and indicated those of the plans that were distributed to the Commissioners. He noted that 7,000 sf of the building is set aside for administrative office functions. The building will include departments for shipping, receiving, warehousing of chocolates in a conditioned space, general storage, a plastics division which will manufacture stamped molds for candies and cakes, plus an area for production and packaging of sugars and icings. The building will be constructed with insulated cast concrete with exposed aggregate on three sides. The expansion side will be metal panels with masonry to a height of 8 feet above grade. Mr. Leatherman noted that the next step would be for the Redevelopment Commission to authorize staff to have legal counsel draft and then enter into a legal Purchase Agreement. A price has been negotiated based on activity in the Park. A premium has always been placed on perimeters of the property and the costs are less for the purchase of larger parcels. Mr. Cox made a motion to direct Staff to draft a Purchase Agreement; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

- Transpoint – Mr. Leatherman addressed the Letter of Intent distributed the Commission members prior to this meeting. Staff has been working with Transpoint for the last several years to facilitate their creation of an intermodal facility at the Adams Center Industrial Park in southeast Fort Wayne. Transpoint is asking for a restatement of the assurances made by previous Redevelopment Commissions; the assurances are unchanged from prior commitments. The prior assurance included using TIF to fund the construction of public infrastructure on a cash reimbursement basis as the development generates sufficient TIF revenue. This reimbursement would be similar to the agreement the Commission has with the 3 Sheets development on North Wells and similar projects in which the property tax generated by the development would reimburse the developer for infrastructure costs incurred. Transpoint understands that they cannot take down parcels of land until they present to the Commission what structures and buildings are intended. The intent is to not sell the land to them until development plans are approved by this body to insure that Transpoint is not in a position to be the developer of the industrial park. This would insure that the Redevelopment Commission would have control of the focus of the park. Transpoint's investors also need a commitment from the Redevelopment Commission that procedures are in place for this project to become a reality.
- Mr. Guerin's letter from Mayor Henry – Mr. Guerin read aloud a letter that he received today regarding The Harrison development. The letter asked the Redevelopment Commission to request that Chris Schoen and Barry Real Estate update the Redevelopment Commission and the entire community regarding the status of this project no later than May 31, 2011. In reply to Mr. Guerin's question, Mr. Leatherman replied that the Redevelopment Commission will hold an advertised Special Meeting to give Mr. Schoen a forum for his update on The Harrison project before the May 31 deadline.

ADJOURNMENT – Motion to adjourn by Mr. McElhoe; seconded by Mr. Obergfell. Meeting adjourned at 4:35 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION


Casey Cox, Secretary

Adopted: 13 June 2011

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
13 June 2011

TIME: 4:00 p.m.

PLACE: City Council Discussion Room 030, Citizens Square, 200 East Berry Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:01 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Steve McElhoe
Thom Obergfell
Judi Wire
Steve Corona

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
John Wallace, Assistant Director
Sharon Feasel, Economic Development Manager
Aliza Tourkow, Grants Administrator

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT:

- Karl Bandemer, The Alliance
- Dan O'Connell, Visit Fort Wayne
- Chris Schoen, Barry Real Estate
- Tim Haffner, Baker & Daniels
- Drew Welborn, General Counsel & Vice President, Whitley Manufacturing

ALLOWANCE OF CLAIMS: Motion to allow Claims of April 2011 by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously.

APPROVAL OF MINUTES: Motion to approve Minutes of 09 May 2011 Regular Meeting by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously

NEW BUSINESS

Resolution 2011-10

Approving an Agreement with the Allen County Public Library

Mr. Leatherman stated that a number of parties, including the Allen County Public Library have been discussing off-street parking to facilitate new tenants in the area of Harrison and Washington. The Allen County Public Library Board took action to approve an Agreement that addresses 20-25 spaces of ticketed parking in their lot. The addition of ticketed parking is meant to facilitate parking at the Visit Fort Wayne Center that has recently relocated to the former Bonsib Building on Harrison Street, a law firm located on the second floor of the same building and a new tenant. There have been several drafts of the Agreement. Redevelopment Commission staff has agreed to bring this Agreement that includes the use TIF dollars to make enhancements to the Parking Lot before the Commission. Mr. Bandemer noted that the Alliance began discussions with the Library several months ago regarding opening their parking lot at Harrison and Washington to vehicles other than Library employees. The use of this parking lot is important to Visit Fort Wayne, some law firms in the area and other adjacent tenants. Mr. O'Connell stated that this project has been a public/private partnership that includes not only the Library and the Redevelopment Commission, but also some neighbors who have agreed to fund landscaping improvements. The landscaping will also improve the look of the corridor for the pedestrians walking to the Convention & Visitors Bureau and restaurants in the area. Mr. Leatherman indicated that the Library wanted the equipment to be consistent with their parking apparatuses at other lots. That added to the cost of the equipment that the Redevelopment Commission might fund, but they agreed to extend the timeframe that this Agreement would remain in effect from one year to five years. The new equipment will cost approximately \$44,000.⁰⁰ and will allow the Library employees to seamlessly continue to access the lot and allow clients to conduct their business with the tenants in the area. The Library has agreed to accept the initial costs including equipment maintenance, cost of tickets and any additional utilities. The Library will be paid first to cover these costs and any additional revenue will come to the Commission to pay down the initial investment up to a 75% maximum over 5 years. After those costs are covered, the Library and the Redevelopment Commission will split the revenues 50/50. Dan O'Connell will take charge of raising funds to address the landscaping needs on Harrison to match the landscaping near the Library. Universal parking signage will be added to the lot to inform the public of availability on the lot. The cost of landscaping improvements should be approximately \$6,000.⁰⁰ to \$8,000.⁰⁰ and Mr. O'Connell will help raise funds for those enhancements. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

OTHER BUSINESS

- Harrison Square Update – Mr. Haffner stated that he has delivered a signed Memorandum of Understanding to Larry Shine regarding The Harrison Development. Through the efforts of the Mayor, a partnership has been forged with Chris Schoen of Barry Real Estate, Mark Hagerman and Whitley Manufacturing. Through those discussions an Agreement has been entered into between the three entities for the establishment of a new entity named New Harrison LLC, the development group for The Harrison. There is a Term Sheet with PNC that should conclude in a Commitment Letter in the next few weeks. The MOU terms have not changed the description of the project; it is the same as prior presentations (four floors of development on top of a parking structure). The new partners bring a wealth of construction and design expertise to the project as well as a knowledge of the local market. Hardball Capital and the TinCaps have reaffirmed their commitment to invest \$1 million over the next 10 years and they also reaffirmed their commitment to invest \$50,000.00 a year for the next 19 years in capital improvements at the Parkview Field. The timeframe has been adjusted to allow for the monetization of State and Federal credits in the form of CRED and New Market Tax Credits. A discussion of the timetable for CRED and New Market Tax Credits ensued. The MOU timetable anticipates the final design being signed off by July 31, 2011. There will be no action required at this meeting as it is a project update for the Redevelopment Commission. It is anticipated that the project will be complete by March 1, 2013. Mr. Schoen noted that Mark Hagerman was the partner discussed earlier this year. After the February meeting, the bank asked for more financial participation in the project, Mr. Hagerman came forward to identify himself as a partner. When Whitley Manufacturing came forward, the bank felt that the support was there that the bank was looking for. Mr. Schoen feels that New Harrison, LLC is fully vetted with the bank. Mr. Obergfell asked for an estimate for the timeframe when the Commitment Letter would arrive. Mr. Haffner noted that in the MOU, the approximate time estimated for the Commitment Letter is August 31, 2011. The project anticipates the monetization of the tax credits as a condition to the bank financing, as well as the equity participation by Mr. Hagerman and Mr. Dragan. Other conditions would be costs that have already been anticipated. With the substantial expertise of Hagerman Construction and Whitley Manufacturing, the project has two of the more knowledgeable construction firms in the region. The site and the design have been vetted over the last few years and no challenges are expected. Mr. Haffner feels that the sale of tax credits is a predictable market and will be in the range of what the group has anticipated. Mr. Welborn stated that the contingencies for the lease-up of office and the certain percentage of the retail space have been satisfied and Mr. Haffner concurred. Mr. Schoen noted that some months ago they paid the fees to begin the process to redeem the tax credits. Mr. Leatherman stated that they are using the most knowledgeable tax credit attorney in the State. Mr. Haffner reminded the Commissioners that the Default Agreement signed in February is still in place. He also explained how the \$950,000.⁰⁰ from the TinCaps under the previous Agreement might be used. All of the money comes to the Redevelopment Commission, but Mr. Haffner suggests that a portion of that be set aside in a fund that would be used to ensure residential occupancy Downtown. \$350,000.⁰⁰ would be a backstop in the event that certain levels of rent expectations are not met. After the first 7 of the 19 years, all of the money could be used by the Redevelopment Commission at its discretion without limitation. Mr. Haffner noted that The Harrison sits within a previously established TIF allocation area and as the location sits empty, it is not producing any TIF. The project is also under Tax Abatement and will not be generating much TIF revenue in the early years. The structure anticipates that a portion of those revenues would be held to ensure the project's success. If there is a shortfall, those revenues could be held to offset the shortfall. Mr. Leatherman noted that when initial projections were made concerning the TIF generated by the development the project was envisioned as condominiums and would not have produced any TIF for the payment of debt service. Because the project now falls under the designation as commercial residential, those apartments will be generating tax increment. A discussion of prior Agreements ensued.

NEW BUSINESS

Resolution 2011-06

Approving the collection of Tax Increment from property taxes on real estate located within the Civic Center, Summit Industrial Park, Centennial Industrial Park, Jefferson/Illinois Road, Baer Field, Tillman/Anthony, Lima Road/Ley Road, East Illinois Road, West Highway 30 and Lima Wells Fernhill tax allocation areas

Mr. Lindsay stated that this annual resolution required by State Statute authorizes a letter to the Allen County Auditor asking for collection of Tax Increment needed by the Redevelopment Commission for the forthcoming tax year. Included in the Resolution are the anticipated projects and debt service payments to be made from each of the TIF allocation areas. The decision was made not to collect tax increment from Maysville, Washington Center and Illinois Getz Road tax allocation areas because funds on hand are sufficient to fund any planned infrastructure projects in the near future. Staff is also asking that increment be collected from allocation areas that have begun to generate taxes in 2010 pay 2011 to fund the projects planned and/or executed in each area. These are Lima/Ley Road, West Highway 30, East Illinois Road and Lima Wells Fernhill tax allocation areas. Motion to approve by Mr. McElhoe; seconded by Mr. Obergfell. Mr. Obergfell asked that the

spreadsheet that delineates TIF areas and debt service be updated to include new projects. Motion carried unanimously without further discussion.

Resolution 2011-07

Approving an Agreement for the Sale and Development of Real Estate in Summit Industrial Park Urban Renewal Area

Mr. Lindsay noted that Resolutions 2011-07 and 2011-08 are linked and one presupposes action by the other. The Commission sold a parcel to Indiana Michigan Power. Staff is requesting that Indiana Michigan convey back to the Commission the 2.44 acre undeveloped tract they previously purchased in Summit Park II. In return the Redevelopment Commission will convey to Indiana Michigan Power 3.588 acres located immediately north of the existing tract for their substation. The transfer has been approved by Indiana Michigan locally, but must also be approved by the headquarters in Columbus, OH. Staff is recommending that Indiana Michigan would not owe additional compensation for the increased acreage because of the job creation that would flow from the CK Products relocation, which will be using the former parcel of owned by Indiana Michigan, as part of their development. A discussion of the parcels demographics ensued. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

Resolution 2011-08

Approving an Agreement for the Sale and Development of Real Estate in Summit Industrial Park Urban Renewal Area

Mr. Lindsay stated that the parcel increased by the Indiana Michigan addition will be sold to CK Products as part of their expansion. The property to be sold to CK has been surveyed and contains 10.088 acres. The price will be \$395,490.⁰⁰. CK Products would be a compliment to the Park because of the office and warehousing, significant manufacturing component and a worldwide marketing reach. A discussion of the ingress/egress ensued. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2011-09

Approving an expenditure for public infrastructure improvements for Citizens Square

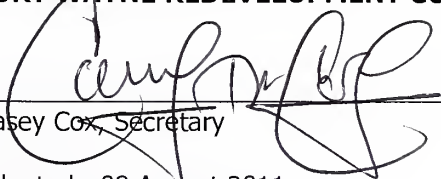
Mr. Leatherman reminded the Commissioners that a few months ago the Commission approved a Resolution authorizing the improvement of the streetscapes around the Citizens Square. There are significant issues with the subsurface and surface of the visitor parking lot at the north of Citizens Square. To capture some energy dollars, rain garden technology was used in the structure of the parking lot. The plan is to coordinate with City Utilities to resurface the lot and install a water garden on the site along with handicap parking, lighting, and removal of existing parking structures. City Utilities will pay 60% of the cost and the Redevelopment Commission is being asked to fund the other 40%. Redevelopment would fund the landscaping, upgrades to the front median, reworking the entrance, the asphalt and striping of the parking lot and lighting. The work will be bid by City Utilities. There is a contingency amount to replace the shrubbery at the Barry Street entrance if they fail after pruning. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

OTHER BUSINESS

- Downtown Street Tree Restoration – Mr. Lindsay noted the Tom Cain has proposed a plan to replace street trees in various parts of Downtown. There are two different contracts. One would be tree stump removal and planting services and the other would be tree purchases. Because these will be very noticeable improvements, the Director concluded that the improvements should be mentioned at a public meeting. The funding for this project would come from the Civic Center Urban Renewal Area, Fund 208. The work is planned and will be substantially complete by Fall.
- EPA Grant Application – Mr. Leatherman has received word that our EPA Region 5 Grant Applications have been accepted and we will be receiving a \$200,000.⁰⁰ assessment grant for petroleum-based contamination, which is very similar to the grant that we closed out in January 2011. Application was also made for a \$200,000.⁰⁰ hazardous constituency grant to investigate hazardous materials. We also received that award. Mr. Leatherman introduced Aliza Tourkow, the new grant administrator who will be overseeing the Brownfield grant program and will also oversee the commercial and Downtown façade grant programs.

ADJOURNMENT – Motion to adjourn by Mr. McElhoe; seconded by Mr. Cox. Meeting adjourned at 5:02 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Casey Cox, Secretary
Adopted: 08 August 2011

FORT WAYNE REDEVELOPMENT COMMISSION
Special Meeting
23 June 2011

TIME: 1:30 p.m.

PLACE: City Council Discussion Room 030, Citizens Square, 200 East Berry Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 1:30 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Steve McElhoe
~~Thom Obergfell~~
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
Sharon Feasel, Economic Development Manager
P. J. Thuringer, Construction Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: • Karl Bandemer, The Alliance

NEW BUSINESS

Purchase of Real Estate

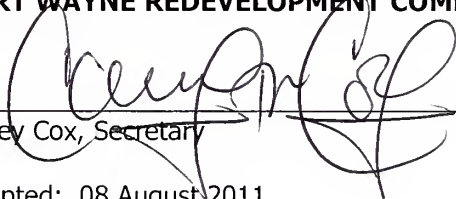
Mr. Leatherman stated that during the Blueprint and Blueprint Plus charettes, there was a community-wide effort for input from the public regarding development in the Downtown. Section 8 of the Blueprint Plus document refers to tools that might be used to further that development. One of tools suggested was a strategic real estate acquisition and holding entity, which included land that might be donated. Additionally, another process undertaken by the Community Development Division was the Around the Square sub-area Plan. This document addressed the goals and objectives of managing growth, revitalization and renewal around Harrison Square. It was the basis for rezoning some of the area that staff will be discussing today. Mr. Bandemer noted that in mid-year 2010, the Fort Wayne Downtown Development Trust was formed by the Downtown Improvement District and The Alliance. The Board consists of 9 members – three members are appointed by the DID, three members are appointed by The Alliance and then those six members appointed three other members. The group has been fully organized since the beginning of 2011 and has been capitalizing the entity. There are a number of sources that the Board has contacted and Mr. Bandemer anticipates the entity will be in a position to take action by the end of the year. The Board anticipates they will be able to acquire properties and hold them for specific periods of time for future development activities. The entity has a 501(C)3 status so there are additional opportunities for property owners and individuals to contribute either real estate or funds and receive a tax benefit for that contribution. The members of the Trust include Mac Parker, Julie Inskeep, Steve Brody, Dawn Roseman, Bob Walters, John Urbahns, Mike Earler and others. These people understand real estate, financing and development. The intent is to work with the Redevelopment Commission. The Incorporation Documents focus the entity on the boundaries of the DID, but that does not preclude the entity from going beyond those boundaries. Mr. Bandemer anticipates that the entity will hold property much the same way it is held in Kalamazoo and Chattanooga and would, likewise, be responsible for the payment of property taxes.

Mr. Leatherman noted that two years ago National Oil from Bluffton acquired a significant portion of real estate on the west side of Ewing Street adjacent to Jefferson with the expectation of building a gasoline station and convenience store on the site. They were unsuccessful at negotiating with the auto repair business at the corner of Ewing and Jefferson. Eventually, they decided to sell the property. Although the property was not listed for sale, there is a local realtor who knew that National Oil was contemplating selling the property. National Oil was interested in optioning the property with the City, so about one year ago Redevelopment staff negotiated an Option Agreement. The Realtor, Dave Norton, knew that five parcels to the south were owned jointly by some Indianapolis speculators who bought some residential properties when there was talk about relocating the Coliseum to Downtown. The houses are rental properties that are now boarded-up; Dave Norton knows the owners and volunteered to talk to them about an option. In the meantime, the owner of a property further south wrote a letter to the Mayor bemoaning the harm the Ballpark was causing him and his property. Staff ordered an appraisal of the property and the homeowner accepted the amount offered plus some moving costs. There were other properties that were then more attractive. Another nearby property owner was willing to sell and there is now a tentative offer to purchase his property pending approval for the Redevelopment Commission. Options on two of the properties are expiring at the end of the month and staff needs to convert those to purchase agreements. The current price negotiated with National Oil is \$625,000.⁰⁰, which is \$22.⁸⁴ per square foot. The average of the two appraisals staff

commissioned is \$497,000.⁰⁰. National Oil spent approximately \$450,000.⁰⁰ to acquire the property plus the cost to demolish all the buildings. There is extra value added to the land since it is a vacant and developable. During the acquisition stage of the Harrison Square development, McMahon Tire was purchased for approximately \$1.2 million and AutoTyme for \$900,000.⁰⁰. This property is approximately $\frac{1}{3}$ of the cost that was paid for nearby properties. The assembled property next to National Oil has a negotiated price of \$350,000.⁰⁰ or \$16.⁴³ per square foot. The appraisals came in at about \$230,000.⁰⁰. The residential properties (with homes on them) across the street were purchased for between \$17.⁰⁰ and \$18.⁰⁰ per square foot. Another residential property on the west side was appraised for \$235,000.⁰⁰ because it was further away from Jefferson and less intensively commercial. Another residential property was appraised at \$49,000.⁰⁰ and staff has negotiated a price of \$67,800.⁰⁰ that includes upgrades made to the house by the homeowner and some relocation costs. The funding source will be Jefferson/Illinois TIF; Ewing Street is the boundary of the TIF district and immediately adjacent property is eligible to use those funds. Inquiries were made to adjacent properties on Ewing and staff felt they were not available at prices that could be justified at this time. There are vacant properties to the west on Fulton, but the current funding source is not available to purchase those properties. Staff feels that because the properties on Ewing are contiguous, the aggregate value will be higher than the total cost of the individual properties. This is a land banking situation for the Commission. There are no development proposals either at this time. A portion of the land to the north can be used as construction staging for The Harrison development. Demolition of the boarded-up houses will take place after all the investigative work is completed. Mr. Cox asked about using the Capital Fund for purchases and Mr. Leatherman explained that, at this time, using the Capital Fund for land purchases is not necessary. The Capital Fund is a more flexible fund and those monies could be used to purchase real estate outside any TIF district. If people who live to the west of Ewing would come to the Redevelopment Commission and ask that we purchase their homes, the Capital Fund could be used for those because there are fewer geographical limitations on that Fund. A discussion of adjacent properties ensued. Mr. Leatherman noted that once these acquisitions are complete, staff can use monies from the new EPA grants to do environmental investigations on those properties. Mr. Leatherman suggested that there might be some asbestos mitigation needed and some underground fuel tanks on the properties. There are no indications that there is any contamination on the National Oil site, but there is a plume from the gas station on Fairfield that includes ongoing monitoring. National Oil is open to a contract purchase agreement that can be spread over a 3-payment period. Mr. Leatherman would like to tie those payments to the timing of the increment generated. The other properties will be cash at closing. All the Agreements will be brought to the Redevelopment Commission for execution. At this point in time, there are no plans to transfer this property to another organization. Ms. Wire made a motion to continue with the purchase plans for the properties on Ewing Street; seconded by Mr. Cox. Motion carried unanimously without further discussion.

ADJOURNMENT – Motion to adjourn by Mr. Cox; seconded by Mr. McElhoe. Meeting adjourned at 5:02 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Casey Cox, Secretary

Adopted: 08 August 2011

FORT WAYNE REDEVELOPMENT COMMISSION

Regular Meeting

08 August 2011

TIME: 4:00 p.m.

PLACE: City Council Discussion Room 030, Citizens Square, 200 East Berry Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:0 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Thom Obergfell
Judi Wire
Steve Corona

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
P J Thuringer, Redevelopment Manager
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT:

- Dawn Ritchie, Trails Manager
- Kienan O'Rourke, Strategic Planning Department
- Bruce Johnson, Strategic Planning Department
- Tim Haffner, City of Fort Wayne Corporate Counsel

ALLOWANCE OF CLAIMS: Motion to allow Claims of May 2011 and June 2011 by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously.

APPROVAL OF MINUTES: Motion to approve Minutes of 13 June 2011 Regular Meeting and 23 June 2001 by Mr. Cox; seconded by Mr. Obergfell. Motion carried unanimously

NEW BUSINESS

Presentation – Illinois Road Improvements – Dawn Ritchie indicated on a map where the proposed trail and sidewalks would be built. The trail and sidewalks would begin at Freeman Street near Rockhill Park and continue along Jefferson until that road meets Illinois Road. At Illinois Road the trail and sidewalk would turn and continue along Illinois Road ending at Magnavox Way. The project would involve the construction of an eight-foot-wide trail on one side of Illinois Road and a five-foot-wide sidewalk on the opposite side of the road. The project would end at the overpass at I69. Ms. Ritchie noted that the Federal Government would need to be the coordinator for the part of the project to extend the trail over the bridge. They have been very supportive of the Trails System in the past so the hope is that whatever needs to be done to the bridge to make the connection to the Aboite Trails System could be completed without challenges. Mr. O'Rourke stated that the Planning Staff, in conjunction with City Engineering Staff and the Greenway Manager, completed an RFQ for engineering and design that was sent to local contractors. There were 10 contractors at the preliminary meeting and 3 submitted final bids. From those three, 2 were selected and evaluated. After interviewing the final two, the best respondent to the RFQ was Engineering Resources LLC with a final bid of \$154,355.⁰⁰. In answer to a question concerning the costs of the construction, Ms. Ritchie stated that normally the cost to construct one mile of trail is approximately \$400,000.⁰⁰. Adding the accompanying sidewalk on the opposite side of the road would add approximately \$200,000.⁰⁰ a mile. This trail and sidewalk will be approximately 2 miles in length. A discussion of the hazards on Jefferson ensued. Questions were asked concerning the route the trail would take near the Wendy's restaurant on Jefferson. ERI will evaluate that section of the proposed trail, but Ms. Ritchie noted that the safest route would probably be behind the restaurant. She also stated that she had talked to the Railroad and they are not in favor of having a trail near their tracks.

Resolution 2011-11

Approving a contract with Engineering Resources, Inc. for public infrastructure improvements along Illinois Road.

There was no further discussion regarding the Illinois Road Improvements. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2011-12

Approving Amendment II to the Declaration of Restrictions and Covenants for Summit Park II

Mr. Lindsay noted that in April 2001 the Redevelopment Commission approved a Declaration of Restrictions and Covenants for Summit Park II. Amendment I was approved in July 2005. There are two classes of owners at Summit Park II. The class A includes the private sector owners and the class B owner is the Redevelopment Commission. This Declaration seeks to put both classes on equal footing and require that future changes to the Declaration be adopted by at least a 51% vote


by each class. One of the tenants was concerned that the Redevelopment Commission could unilaterally adopt a change in the Covenants that would be binding on all of the tenants. The Commission is still the majority owner with approximately 65% of the Park as defined by square footage. That percentage includes the common area that has not been conveyed to the Business Park Association. This Amendment does not diminish the Commission's ability to enforce the Covenants. This Amendment will be routed to all the current owners for their information. Mr. Shine noted that the wording the original Covenants is very typical. Mr. Shine doesn't think the Amendment is objectionable. A discussion of the property ownership ensued. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

OTHER BUSINESS

- **P J Thuringer** – Mr. Leatherman introduced Mr. Thuringer. Mr. Thuringer has a construction background developed while he worked in the Office of Housing and Neighborhood Development. He will be working with construction and demolition projects. He will also be managing garages and issues with Parkview Field. He will also be assigned other projects as his assistance is needed. Mr. Thuringer's employment completes the Redevelopment Department.
- **The Harrison** – Mr. Haffner confirmed that final plans for The Harrison were submitted ahead of the July 31 scheduled deadline. There were no substantial changes to the original plans. Design Collaborative, the architectural firm of record, is working on the final plan bid documents and the hope is that those will be completed in the next two weeks. As soon as those documents are complete, Hagerman Construction will begin checking on subcontractor pricing and availability. The development group has routine calls with PNC to provide information and have dialog exchanges concerning details that PNC would like to see. PNC has substantially completed their outside appraisal work and has indicated to Mr. Haffner that those documents should be in hand very soon. PNC's internal review process takes approximately two weeks before they will release the appraisals that were completed by a Chicago-based appraisal firm. Once their appraisal process is complete, PNC will be able to incorporate that into the Commitment Letter. Interest in the property remains strong and there is renewed interest from other retailers. There is hope of final financing by the end of August as well as the execution of final Agreements. The final document will be presented to the Redevelopment Commission for review and approval. Mr. Haffner noted that the development team is working diligently with both of their own internal and external resources and is quite active within the loan process.

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. Cox. Meeting adjourned at 4:40 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



~~Casey Cox, Secretary~~
JUDI WIRE, ACTING SECRETARY
Adopted: 12 September 2011

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
12 September 2011

TIME: 4:00 p.m.

PLACE: City Council Discussion Room 030, Citizens Square, 200 East Berry Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:05 p.m.

ROLL CALL: Christopher Guerin
Thom Obergfell
Steve McElhoe
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
P J Thuringer, Redevelopment Manager
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: John Stafford, Community Research Institute

ALLOWANCE OF CLAIMS: Motion to allow Claims of July 2011 by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously.

APPROVAL OF MINUTES: Motion to approve Minutes of 8 August 2011 Regular Meeting by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously

NEW BUSINESS

Resolution 2011-13

Approving a modification to a Memorandum of Understanding regarding the funding of the Grand Wayne Center expansion project between the Fort Wayne Redevelopment Commission and the City of Fort Wayne

Mr. Leatherman stated that there have been various funding sources to pay the debt service for the Grand Wayne Center based on a prearranged agreement between the parties. Three of the funding sources were established to continue over the life of the debt service. They are TIF from the Civic Center Urban Renewal Area, revenues from the Grand Wayne Center and CEDIT funds from the City of Fort Wayne. There is a surplus in the fund that carries it through to the end to secure the debt service. Each of the several funding sources have made their pledges and those monies have been banked and can be used to pay down the debt service or secure the bond indebtedness. Because of the recession and lower income streams, CEDIT fund collections have dropped to all units of government. CEDIT income can be used very flexibly by the City for economic development. The Redevelopment Commission has been asked to release the 2011 and 2012 CEDIT funds and replace \$435,000.⁰⁰ for those two years with Civic Center TIF funds. That would free the CEDIT dollars to be used by the City. During the fourth quarter of 2012, the Redevelopment Commission will review the demands on the Civic Center TIF and determine if 2013 CEDIT funds can be replaced with TIF monies along with the Supplemental Redevelopment Pledge from the Grand Wayne Center and the PSDA presently receivable. The Redevelopment Commission is not being asked to commit past 2012 at this time. This would increase the amount the Redevelopment Commission allocates to the Grand Wayne Center for those two years. Mr. Stafford noted that according to the original funding scheme, the Redevelopment Commission has a lease with the Redevelopment Authority, the issuer of the project bonds, to pay the debt service. The Redevelopment Authority is the agent that pays off the bond. The funding sources include revenue from the Grand Wayne Center, the Professional Sports Development Area, a secondary pledge from the Grand Wayne Center if their cash balance is above a certain threshold every year, TIF from the Civic Center Urban Renewal Area, City Light Lease payments through 2010, and CEDIT funds from both the City and County. The Light Lease and County CEDIT pledges are now fully paid along with a grant from the Fort Wayne Community Foundation. Because there is a general obligation backer, the Redevelopment Commission went to the Property Tax Control Board to demonstrate that there was no reasonable likelihood that the debt would ever go on the Property Tax rolls. To do that the Redevelopment Commission provided a substantial amount of coverage of the revenues when added together that exceed the amount of revenues needed in any given year to make the lease payments to the Redevelopment Authority. There was substantial coverage built into the debt service agreement. Additionally, there is a 3-payment test reserve fund in place; this is the highest year of coverage. After 2011, the coverage will go down. Recognizing that there was more money built into the revenue streams than would ever be necessary to make the lease payments, there was a provision in the memorandum of understanding that all parties signed which stated that if there were excess money at any point in time, the order was established in which each entity would be released from making payments. City CEDIT funds are the next entity that could be released from making payments. A discussion of the

3-payment reserve ensued. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

Resolution 2011-14

Approving an expenditure for downtown Fort Wayne public improvements

Mr. Leatherman explained that over the past two years, there have been discussions regarding enhancing major corridors into Fort Wayne and Downtown. One of the projects mentioned in the Mayor's State of the City Address was to try to improve the appearance of the railroad overpasses. Since the overpasses are one of the high-profile projects identified by the Strategic Planning Department and one of the overpasses is in the Civic Center Tax Allocation Area and the contracts have already been negotiated by the Planning Department, Mr. Leatherman thought that the Clinton Street Overpass, near Superior, would be eligible use of TIF funds. This particular overpass has been identified for improvement in many Downtown studies and plans dating back into the 1990's. If the Redevelopment Commission pays for the enhancement to this overpass, that will free up money for other like projects; i.e. monuments. The estimated cost is \$60,000.⁰⁰. A discussion of the proposed improvements ensued. Mr. Leatherman suggested that the Redevelopment Commission might consider helping with the overpass improvements on Jefferson near Rockhill Park. Motion to approve by Mr. McElhoe; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2011-15

Approving an Agreement with Transpoint, LLC.

Mr. Leatherman noted that this project has been presented to Commission members at prior meetings. The principals at Transpoint previously submitted a Memorandum of Understanding, Letter of Intent and there has been general discussion during Redevelopment Commission meetings concerning this project. The project is intended to be a staging and hosting area for an intermodal railroad facility. The principals have reached a point where they feel they have solved the major delay in facilitating this project, figuring out how to get rail out of Chicago/Northwest Indiana and onto their track that goes near the Adams Center Industrial Area. There are tremendous challenges that accompany hosting any intermodal facility. In helping this project come to fruition, a Letter of Intent has been signed by the Redevelopment Commission that stated until such time as the land were needed for another project, the northern part of the park would be reserved for hosting an intermodal facility. Investors who might be interested in funding this project demanded documentation that shows Transpoint has a right to this property. Mr. Leatherman, in consultation with legal counsel, has drawn up a conditional Purchase Agreement that states before the transfer of property at closing, there must be proof of financing submitted that definitively shows Transpoint has obtained approximately \$8M to \$10M needed to bring rail sidings off the main track to the property, created the lifting area for the containers to trucks for transport, and for return traffic. When that portion of the development is complete, they would then create the need for additional warehousing, trucking services, and additional employment at that site. Transpoint believes the project has the potential to snowball. The land would be provided to them at a discounted cost. Currently, there are sufficient utilities in place according to City Utilities Development Services. As the project develops, the Transpoint people understand that we only have the money generated by the TIF allocation area to fund infrastructure improvements. The land will not be transferred to Transpoint until the project is moving forward and they can show a timeline for completion. The Commission will be able to take the land back if the project fails. Mr. Shine suggested that an additional paragraph be inserted which states that if the project is not completed in a specified time, the Redevelopment Commission has the right to repurchase the property at a predetermined price. Motion to approve by Mr. Obergfell with inserted paragraph suggested by Mr. Shine; seconded by Ms. Wire. Motion carried unanimously without further discussion.

OTHER BUSINESS

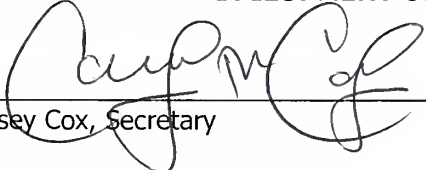
- **Discussion – The Harrison Definitive Development Agreement** – Mr. Haffner began his overview. On June 13 2011, the City of Fort Wayne entered into a Memorandum of Understanding with the New Harrison LLC. City officials have met individually with Thom Obergfell, ~~Casey Cox~~ and Christopher Guerin to review the terms of the Commitment Letter issued by PNC. The City received today an executed copy of the proposed form of the Development Agreement that has been discussed and negotiated by Mr. Haffner and Mr. Shine, with Greg Leatherman and John Urbahns in attendance. The Definitive Agreement contains terms that are consistent with the MOU presented to the Commission in June. The project is still on track with the MOU and earlier Development Agreement. The development will be an \$18.5 million project. The first floor will contain 24,000 square feet of retail, the second floor will be 24,000 square feet of office, and the third and fourth floor will be 42 upscale apartments with 92 parking spaces on the bottom. The design quality and finish will be consistent with the MOU. It is anticipated that the development will be completed within 14 months after closing of financing. The proposed purchase price of the real estate is \$675,000.⁰⁰ with the repayment subordinated to the project financing. The Exhibits in the Agreement contain the details including the TIF backstop fund. The property currently is unimproved ground and has nominal tax value. The private investment will create additional tax revenue and tax increment. The first phase of improvements would be abated per the prior approval of the Redevelopment Commission and City Council. As taxes are phased in, the TIF dollars would be available as part of the backstop. Included is a residential growth fund which captures the first seven years of payments from the TinCaps and those funds

would be available to assure a minimum gross rent, a number yet to be determined. If the project does not perform as anticipated that fund would be available as a secondary backstop. If it does perform, all those monies would remain with the Redevelopment Commission. After 7 years, all the monies being paid by the team, which is \$50,000.⁰⁰ per year over 19 years, would be paid the Commission. The funding for the project comes first from developer equity, second from PNC Bank financing, third from Federal New Market Tax Credits and fourth from State Tax Credits (CRED), the TIF backstop and the Residential Growth Fund. The most difficult part of the financing to predict is the monetization of the New Market Tax Credits and CRED. The NMTC counsel belongs to the law firm of Kreig DeVault in Indianapolis. They estimate that closing will be within 60 to 90 days. The developers are hoping for some bridge financing so they could be on site before the end of the construction season. The terms of the January Settlement Agreement between Hardball and Barry are still in place. This Agreement does not release Barry or Hardball under that Agreement. If, for some reason, the project does not proceed, the compensation to the Redevelopment Commission as outlined in the January Settlement Agreement still stay in place. This document does not release Barry or Hardball from those obligations; it merely clarifies how the City would proceed if the project does do progress as anticipated. Mr. Guerin noted that the Commission received copies of the document by e-mail after 2:30 p.m. today. He knows that two Commissioners have not had the chance to read the document. Mr. Guerin stated that the Redevelopment Commission needs to have a Special Meeting after all the Commissioners have read and digested the entire document. Mr. Guerin noted that he attended the meeting where these documents were discussed and asked if the Definitive Agreement is approved does the non-binding MOU cease its useful value. Mr. Haffner stated that the MOU is intended as a road map that has taken the parties to the place where the Definitive Agreement could be approved; it was a document of Good Faith. Mr. Guerin asked for an explanation of the City Incentives. Mr. Haffner stated that the City Incentives are better explained in this document, although they were in the Supplemental Agreement. Section 3.04 of the document states that the City would use its best efforts to bring about the monetization of New Market Tax Credits and CRED to the financing package for the development. That section also protects the City's exposure if the City were unsuccessful at bringing those funds to the table. The amount of the monetization is not a City risk. If the City would fail to use its best efforts or if the City would fail to make those funds available, the developers would be entitled to be reimbursed for the costs they have incurred from today until the termination of the Agreement up to a capped amount of \$200,000.⁰⁰ Mr. Obergfell stated that he has reviewed the PNC Commitment Letter and it is bona fied document. There are pieces of the Commitment Letter that are confidential between the bank and the borrower. The pieces that are public are those that the Redevelopment Commission is being asked to consider at this time. Those are how the land will transfer per the contract and the TIF backstop. The other piece that will have to become public is the interest rate because it will be used in calculating the interest on the promissory note on the land. Mr. Obergfell indicated that he also needs more time to study the Agreement before making a decision. The earliest the Special Meeting could take place would be Thursday September 15. Mr. Guerin suggested the meeting be held at 3:00. All concurred. The Commission members decided to hold the Special Meeting on Monday, September 19 at 3:00 p.m. in Room 030 of Citizens Square.

- **Acting Secretary** – Mr. Obergfell nominated Ms. Wire to perform the Acting Secretary; seconded by Mr. McElhoe. Motion carried unanimously.

ADJOURNMENT – Motion to adjourn by Ms. Wire; seconded by Mr. McElhoe. Meeting adjourned at 5:00 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Casey Cox, Secretary

Adopted: 10 October 2011

FORT WAYNE REDEVELOPMENT COMMISSION
Special Meeting
19 September 2011

TIME: 3:00 p.m.

PLACE: City Council Discussion Room 030, Citizens Square, 200 East Berry Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 3:05 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: John Urbahns, Director of Community Development
James Lindsay, Redevelopment Specialist
P J Thuringer, Redevelopment Manager
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: Tim Haffner, Corporation Counsel, City of Fort Wayne

NEW BUSINESS

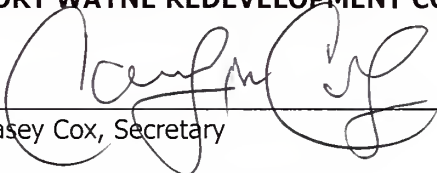
The Harrison Building Economic Development Agreement

Mr. Haffner thanked the members of the Redevelopment Commission for their involvement in the revision of the Agreement. The Definitive Agreement has been modified in Section 6.06 and reflects a clarification requested by members of the Redevelopment Commission. It states that the terms of January Settlement Agreement remain in full force and effect. This new Agreement is not intended to release Barry Real Estate or Hardball Capital under the terms of the January Settlement Agreement. That release will be addressed in a separate document. Mr. Haffner recommended that only on full completion of the project as anticipated would Barry be released from further obligations. Hardball has made further commitments to this project and those commitments, outlined in the MOU, would be part of the Definitive Agreement. The change at 6.06 confirms that this Agreement does not constitute a change to the January Settlement Agreement. Mr. Haffner addressed the Backstop Fund explaining that it represents a hoped-fund accumulation of tax revenues generated by The New Harrison investors. Without the investment by the New Harrison investors there would be no TIF revenues from the site. The Harrison site today would generate a nominal amount annually if it were privately held. The revenues are abated during the initial ten (10) years of the project and the TIF revenues accumulate only over the passage of time. Ten years of TIF revenues have been pledged as part of the TIF backstop, which corresponds with the abatement period. Acquiring a parking garage is an appropriate use of public funds for TIF purposes. Mr. Haffner submitted a letter from Randy Rompolo, a legal expert in public finance, which addresses statutory framework about which it is appropriate to acquire this interest. Redevelopment is not being asked to invest in the parking garage upfront; the investors are putting the money in to complete the project. After a passage of time, when there is an accumulation of TIF revenues and if the project fails to perform as anticipated, only those TIF revenues that have been collected as a result of the developers' investment in the project would be potentially accountable to backstop the obligations of the developer with the bank. The Backstop is conditioned upon the accumulations of funds and only in the event of a default. If there is no default, all the funds would remain with the Redevelopment Commission. In exchange for a draw on those funds, the Redevelopment Commission would receive interest in the property commensurate with the level of investment. The details will be worked out in the Pledge Agreement; there are a number of implementing mechanics in the funding and those would be resolved before closing. Mr. Haffner confirmed that the Redevelopment Commission is not being asked to invest upfront but is being asked to hold the tax revenues from the project as a backstop in the event the project fails to perform. If the project performs, all the accumulated revenue will pass to the Redevelopment Commission. If the backstop funds are used, the Redevelopment Commission would receive a commiserate interest in the parking garage. The change in 6.06 was accepted by the developers. A discussion of the term "best efforts" and the New Market Tax Credits ensued. Mr. Shine dissected Mr. Rompolo's letter that delineated Indiana Code and stated that he was in agreement with the concepts put forward that stated it is appropriate that the Redevelopment Commission use TIF revenues to acquire interest in a parking facility by using the TIF Backstop if there is a shortfall in the developer's ability to pay the debt. Mr. Haffner suggested that the Executive Director be given the authority to implement the mechanics of the Agreement. Mr. Cox stated that he would like the Commissioners to critically review of the Pledge Agreement. Mr. Shine noted that all the TIF backstop funds must be used for a shortfall in the parking garage debt service and that description would be part of the Pledge Agreement. Mr. Haffner stated that if there is not consensus on the Pledge Agreement, closing could not take place. He suggested that the Redevelopment Commission members relay on the judgment of the Executive Director, Community Development Director and City legal counsel regarding the signing the Agreement. Mr. Obergfell noted that the only party that might object to the terms in the Pledge Agreement is PNC. Mr.

McElhoe stated that he feels the Commission must rely on the expertise of legal counsel and Community Development leaders that they will protect the best interests of the Redevelopment Commission. 1st District Councilman Tom Smith was granted the right to speak by President Guerin. Mr. Smith stated this project should go forward and has been languishing too long. One of his concerns is using tax dollars to underwrite a totally private business loan. He doesn't think that has ever been done in Fort Wayne and feels it is a "slippery slope" and might encourage other developers to ask for the same kind of financing. He also stated that he is not in favor of the City owning more property like a parking garage. Mr. Haffner stated that the financing of projects like the Hilton Hotel, Wells Fargo Building, Courtyard by Marriott and others had elements of public finance. What is unusual here is that different sources of public funding are being accumulated, i.e. State tax revenues, Federal Tax Credits, TIF generated by the private development. What is also unusual is that the City has been able to pull together various sources of funding when these types of development are not happening anywhere else. Mr. Cox noted that he is somewhat uncomfortable with the Agreement because of the additional public commitment but plans to support this Agreement to show support for Downtown Fort Wayne and the Civic heart of our City. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion. Mr. Haffner asked if the approval anticipates authority to execute by the Executive Director as well as the documents necessary to implement it. Motion by Ms. Wire; seconded by Mr. McElhoe. Motion carried.

ADJOURNMENT – Motion to adjourn by Mr. McElhoe; seconded by Mr. Obergfell. Meeting adjourned at 3:50 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Casey Cox, Secretary

Adopted: 10 October 2011

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
10 October 2011

TIME: 4:00 p.m.

PLACE: City Council Discussion Room 030, Citizens Square, 200 East Berry Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:00 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Thom Obergfell
Steve McElhoe
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
P J Thuringer, Redevelopment Manager
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: None

ALLOWANCE OF CLAIMS: Motion to allow Claims of August 2011 by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously.

APPROVAL OF MINUTES: Motion to approve Minutes of 12 September 2011 Regular Meeting, with correction regarding Mr. Cox's not meeting with City officials to review the terms of the Commitment Letter, by Mr. Cox; seconded by Mr. McElhoe. Motion to approve Minutes of September 19 2011 Special Meeting by Mr. McElhoe; seconded by Ms. Wire. Motions carried unanimously without further discussion.

NEW BUSINESS

Mr. Leatherman thanked the Redevelopment Commission members for their time regarding meeting with Corporate Council Tim Haffner and City Associate Attorney Larry Shine to make sure that the Agreement with The New Harrison LLC reflected the position of the Redevelopment Commission.

Resolution 2011-16

Approving a contract for professional design services with LandPlan Group LLC

Mr. Leatherman stated that LandPlan Group has worked with the Redevelopment Commission to create the streetscape around Harrison Square. There is a portion of The Harrison project that falls outside the property line and includes the curbs, sidewalks, street trees and street lights that need engineering/consultant oversight for the design and construction. The corner at Ewing and Jefferson will include a wide promenade with some signage. All of those improvements are outside The Harrison property line. There has been some design completed but the bulk of their work will commence at construction. The new infrastructure will be a continuance of the design template that is currently on the sidewalks, etc. in the area. This resolution addresses the design phase only. A discussion of warranties on metals used in other City projects ensued. Motion to approve by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2011-17

Approving expenditures for the replacement of street/traffic lighting in the West Jefferson Blvd. railroad underpass

Mr. Leatherman noted that based upon many conversations regarding the Redevelopment Commission's commitment to fund infrastructure improvements in the Illinois/Jefferson TIF district, staff was approached by the Street Lighting Department to help fund lighting along the corridor. These new fixtures will replace the existing low sodium fixtures with LED lighting. This will enhance the lighting of the street and reduce the amount of energy used to light that portion of the corridor. This is Phase I of these types of improvements and does not address lighting along the entire length of the corridor. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2011-18

Ratifying and approving The Harrison Building Economic Development Agreement

This Resolution complements the decision at the last meeting to approve The Harrison Agreement, with some minor changes. This is the official adoption of a Resolution that confirms and codifies the action taken at the September 17 meeting. It also incorporates the change at Section 6.06 regarding the change recommended by the Redevelopment Commission that no other Agreement would be affected by the adoption of The Harrison Building Economic Development Agreement. Motion to approve by Mr. Obergfell; seconded by Mr. Cox. Motion carried unanimously without further discussion.

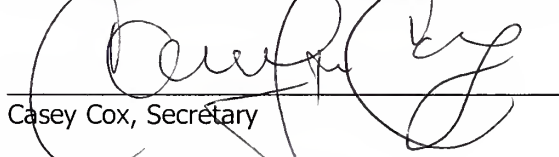
Mr. Obergfell asked about the completion of the Pledge Agreement and Mr. Shine replied that the first draft was to come from the developer's legal counsel. He stated that the good news is that it will be coming from the developers and not from PNC. When the Redevelopment Commission and the developers are comfortable with the Agreement, it will be presented to PNC.

OTHER BUSINESS

- **Swinney Park Pool** – Mr. Guerin noted that at City Council a concern was raised regarding the non-opening of Swinney Park pool for the last two years. A question about using TIF funds to open the pool was raised by Tom Didier. Councilman Shoaff asked some people in Chicago how some of their structures were able to remain open and he was told it was because of TIF contributions. Inquiries were made and the outcome was the opinion that using TIF funds for operating expenses would not be appropriate but for some sort of maintenance or capital expense TIF might be allowable. Mr. Guerin stated that he wasn't aware that opening the pool was on the agenda for the Parks Department. Mr. Leatherman has not talked to Mr. Moll but he feels the operation of the pool is an operating expense challenge for them.
- **Former Dimension Ford property** – In answer to Mr. Cox's question, Mr. Leatherman stated that the property has not been conveyed to the Parks Department because the roadway that cuts through the property needs to be separated from the parcels to be conveyed. The official transfer is still waiting on a delineation that separates that property from the right-of-way and keeps the roadway open to vehicular traffic.
- **Tree Canopy** – Mr. Guerin noted the on-going problems with the decimation of the tree canopy because of the emerald ash borer. Mr. Leatherman suggested that he would contact staff at the Parks Department and determine if any of the TIF area allocations could fund tree replacements along corridors. The problem is that most of the tree losses are in residential areas where TIF funds cannot be used. However, TIF funds can be used along main thoroughfares that serve a TIF district.

ADJOURNMENT – Motion to adjourn by Mr. McElhoe; seconded by Ms. Wire. Meeting adjourned at 4:17 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Casey Cox, Secretary

Adopted: 14 November 2011

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
14 November 2011

TIME: 4:00 p.m.

PLACE: City Council Discussion Room 030, Citizens Square, 200 East Berry Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:05 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Thom Obergfell
Judi Wire

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
Tom Cain, Urban Landscape Designers
P J Thuringer, Redevelopment Manager
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: None

ALLOWANCE OF CLAIMS: Motion to allow Claims of September 2011 by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously.

APPROVAL OF MINUTES: Motion to approve Minutes of 10 October 2011 Regular Meeting by Mr. Cox; seconded by Mr. Obergfell. Motions carried unanimously without further discussion.

NEW BUSINESS

Resolution 2011-19

Approving an expenditure for the replacement and upgrade of street lighting in the Centennial Industrial Park Urban Renewal Area

Mr. Lindsay stated that staff was approached by Street Light Engineering several months ago regarding the possibility of funding lighting replacement of high energy consuming high-pressure sodium lighting, originally installed in 1988, with more energy efficient LED bulbs in Centennial Industrial Park. The street lighting department is ready to undertake this work. The budgeted replacement cost is \$150,000.⁰⁰ to install 123 LED lights. The LED bulbs have a 15-year life as opposed to the 4-year life span of the high-pressure sodium lights. The new bulbs should save more than 50% in energy consumption over its lifetime because of the efficiency of the bulbs and the cost of labor to replace the bulbs. A discussion of the savings parameters ensued. Motion to approve by Mr. Obergfell; seconded by Ms. Wire. Motion carried unanimously without further discussion.

Resolution 2011-20

Approving expenditures for the replacement of pedestrian and traffic lighting in the Jefferson Boulevard railroad underpass

Mr. Thuringer explained that the fixtures in this area are over 30 years old. The heavy volume of traffic along Jefferson Blvd. makes maintaining the lights a logistical nightmare. The lighting in the underpass was recently damaged by an over-sized truck. The River Greenway crosses beneath this underpass and the path/walkway is dark even during daylight hours. The new lighting will enable "facial recognition" in the underpass at all times and the lighting of spaces where people can hide, which is not the case at this time. The use of the LED lights will reduce maintenance costs, as discussed in the previous resolution. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2011-21

Approving an expenditure for the replacement of Ash trees in the Washington Center/Coldwater Road Economic Development Area and Jefferson Illinois Economic Development Area

Mr. Leatherman reminded the Commissioners that at the October meeting, staff was asked to determine if there were any Allocation Areas where TIF could be used to help defray the costs to replace trees injured or killed by the emerald ash borer and other diseases. The Parks Department is ready to work in the Washington Center/Coldwater Road and Illinois Jefferson areas. These are also allocation areas where the Redevelopment Commission has cash balances available for funding the tree replacements. The trees that will be replaced on Coldwater Road are north of Coliseum Blvd to Washington Center Road. Coldwater Road, although not completely in the Allocation Area meets the "in and serving" criteria. The trees that will be placed on Jefferson are in the allocation area. There are fewer related costs in the Coldwater area because some of the trees and stumps have already been removed. Mr. Cain is working with Chad Tinkel of the Parks Department to identify other areas where TIF might be able to fund tree replacement. Mr. Cain noted that there are

planting spaces for 122 trees on Coldwater Road and the Redevelopment Commission would be funding the planting of those trees. The removal costs are being borne by the Parks Department. A discussion of the plantings schedule ensued. The trees located on Coldwater Road are nearly all dead. Some trees that are infested and substantially dead will be replaced on Washington and Jefferson in the West Central district this year in the Jefferson/Illinois allocation area. The remaining Ash trees will probably be dead within a year, so the Parks Department is looking at a second phase to replace additional trees. Mr. Guerin suggested that the Redevelopment Commission should contribute additional dollars to aid with the tree replacements. The numbers used along Jefferson include both removal and replacement. An additional \$3,200.⁰⁰ could be added to the resolution amount of \$16,000.⁰⁰ to encompass the removal of 64 trees on Coldwater Road. Motion to approve with the addition of \$3,200.⁰⁰ for tree removal by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2011-22

Ratifying and approving acquisition costs for real estate located adjacent to the Jefferson Illinois Economic Development Area, as amended

Mr. Lindsay noted that this resolution relates to property acquisitions and related details concerning the 15 properties discussed at a Special Meeting of the Redevelopment Commission on June 23, 2011. Fourteen of the parcels border Ewing Street and one borders West Jefferson. These parcels have been acquired for future development. These parcels would be land banked until a higher use that compliments Harrison Square, Parkview Field and downtown is determined. Mr. Lindsay explained information on the handout distributed to the Commissioners, noting that he has outlined the property description as well as square footage, appraised value and purchase price of each property. He noted the acquisitions have all taken place per the direction of the Redevelopment Commissioners. Mr. Leatherman added that four of the seven houses acquired were vacant and presented problems for Neighborhood Code, as well as contributing to the blight issue. Motion to approve by Ms. Wire; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2011-23

Ratifying and approving expenditures related to the purchase of properties on Ewing Street.

Mr. Thuringer stated that environmental testing and subsequent demolition took place on the four remaining houses on Ewing Street referenced in Resolution 2011-22. Martin Enterprises was the contractor who completed the demolition. Quotations were received from three qualified bidders and Martin Enterprises was the lowest bidder. Martin went beyond what was asked of them and hydroseeded the properties and worked diligently not to disturb the nearby residents. Mr. Leatherman noted that two of the three property owners will be occupying the homes until the end of November. After that time, the remaining houses will be tested and demolished as the season and weather permit. Motion to approve by Mr. Cox; seconded by Ms. Wire. Mr. Obergfell abstained because of a business relationship with Martin Enterprises. Motion carried without further discussion.

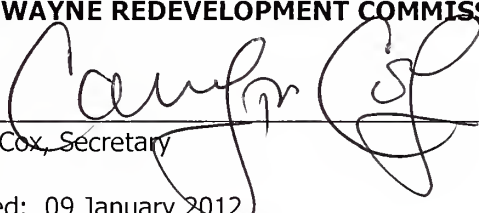
OTHER BUSINESS

- **Harrison Square Update** – Mr. Leatherman stated that the developers continue to move forward with construction-related issues. Also, New Market Tax Credit funding continues to move forward. The NMTC process is long, but it is proceeding. The development team is also working with their design and engineering consultants regarding site development and all preconstruction preparation work. At the next meeting there will be probably be a paperwork that would allow the developers to occupy the west side of Ewing Street to facilitate their construction. Mr. Leatherman noted that as part of the Development Agreement, the Redevelopment Commission is responsible to deliver the site in build ready condition to the developer. Build ready has been defined as removal of structures, unsuitable soils, debris, unnecessary roads, foundations, environmental hazards or contamination and tapping of utilities. Mr. Leatherman has been working with a number of people in the Utility Department because it is believed that there is a significant amount of clay soil on the site. City Utilities needs clay soil to use in their flood control and mounding projects. The site also includes sand and gravel that was brought in and not suitable for the Utility projects. The clay will be hauled to the Utility's Lake Avenue site to be used as clay lining at project sites. Staff is looking for sites that could use the fill material that is not suitable for the Utility's use. Mr. Leatherman has received a unit rate of \$13.⁷⁵ per cubic yard from a contractor that would be able to dig and haul to the appropriate site. The Utilities will reimburse the Redevelopment Commission for the clay excavated and transported to the Lake Avenue site. The amount of soils that would be the responsibility of the Redevelopment Commission is approximately 5,000 to 6,000 cubic yards; that cost would then be between \$60,000 and \$80,000, subject to whatever the Utilities will reimburse for the clay. Mr. Leatherman would like to have a consensus from the Commissioners that staff should move forward. A discussion of the site ensued. Mr. Leatherman stated the Commission spent approximately the same amount of money to prepare the site for the Courtyard hotel. The Commission's monetary contribution will be a small percentage of the total excavating contract. There will be people on-site to determine when the depth at which our excavation will stop. This excavation needs to begin now so that the developer can begin work before freezing sets in. Mr. Leatherman noted that the developer will probably announce it is going forward even before the New Market Tax Credits are monetized and in advance of Closing. Mr. Shine stated that PNC is buying the Tax Credits and USBank is buying the CRED Tax

Credits. Mr. Leatherman noted that the Development Team has a high level of confidence that the project will begin soon. There are several activities going on now relating to preconstruction. Mr. Cox made a motion to expend \$80,000.^{.00} net at a rate of \$13.^{.75} per cubic yard as the Commission's obligations under the Development Agreement to prepare The Harrison site to a construction-ready condition; seconded by Mr. Obergfell. Motion carried without further discussion.

ADJOURNMENT – Motion to adjourn by Mr. Obergfell; seconded by Ms. Wire. Meeting adjourned at 5:03 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Casey Cox, Secretary

Adopted: 09 January 2012

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
09 January 2012

TIME: 4:00 p.m.

PLACE: City Council Discussion Room 030, Citizens Square, 200 East Berry Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:03 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Judi Wire
Steve Corona

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
P J Thuringer, Redevelopment Manager
Joanne Reising, Administrative Assistant
Tina Bultemeyer, Financial Manager

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: Cory Miller, Schenkel Shultz Architects
Jack Willis, Citizens Square Property Manager
William Snyder, Elevator Consultant

ALLOWANCE OF CLAIMS: Motion to allow Claims of November 2011 by Mr. McElhoe; seconded by Ms. Wire. Motion carried unanimously.

APPROVAL OF MINUTES: Motion to approve Minutes of 10 November 2011 Regular Meeting by Ms. Wire; seconded by Mr. McElhoe. Motions carried unanimously without further discussion.

NEW BUSINESS

Election of Officers – Mr. Guerin stated that the election of officers will have to be deferred until all appointments are finalized.

Resolution 2012-01

Approving a contract for professional legal services with Carson Boxberger

Mr. Lindsay noted that each year, the Redevelopment Commission must approve a contract with Carson Boxberger to retain them as legal counsel. Mr. Samek and Mr. Boxberger will be the main contacts. The Redevelopment Commission will use Carson Boxberger for special projects; concentrating on using Mr. Shine as in-house counsel. Motion to approve by Ms. Wire; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2011-02

Approving an expenditure for public infrastructure improvements for Citizens Square (Elevators)

Mr. Leatherman explained that the elevators in use at Citizens Square are those originally installed in 1956. They have been updated over the years, but now need to be completely rebuilt. In the past, the Redevelopment Commission has funded upgrades for other projects. Recently, the Redevelopment Commission helped to upgrade the building and grounds including streetscapes, street trees and street lighting prior to the City and County moving into Citizens Square. The Redevelopment Commission also helped to partially fund the renovations to the north parking lot, partnering with the City Utilities to include impervious drainage to the parking lot and reconfiguring the lot to include more parking spaces and landscaping. The City has asked the Redevelopment Commission to fund replacements and renovations to the elevators in Citizens Square. There have been internal discussions regarding the expenditure; it is clearly a legal expenditure from a fund that has the capacity should the Commission decide to approve the expenditure. Mr. Leatherman introduced Cory Miller, architect of record for the Citizens Square renovations, Jack Willis, Building Manager for Citizens Square and William Snyder, elevator consultant. Mr. Miller explained the elevator assessments that took place prior the moving into the building. Schenkel Shultz completed a brief assessment of the building in 2008 and again in 2009 when the building was purchased. They assessed the elevators, walls, roof and doors. The elevators had passed all State inspections and seemed to be functioning well but the architects knew that the elevators were 23 years into their 25 years useful life. All indications were that the elevators were in a safe condition but would need some maintenance; the architects felt there was no reason to replace them at the time of move-in. During the initial move-in there were no indications that there would be extraneous expenditures incurred by the City. Mr. Willis stated that when he arrived in January to begin the management of the construction, controls were put in place to ensure there was no abuse of the elevators by the

contractors. At that time there was limited use of the elevators. An elevator contractor was hired to maintain the elevators during construction. After employees began to move in during April 2011, it was noticed in June and July that there was more than normal routine maintenance needed. There were serious maintenance issues that included numerous repair calls to keep the elevators running. The cost of maintaining the elevators has been approximately \$10,000.⁰⁰ per month to keep the elevators running during 2011. Normal maintenance should cost approximately \$1,000.⁰⁰ per month. The elevators are functioning the best they can but other problems could surface. Mr. Willis hired an elevator consultant to evaluate the need for modernization and retrofitting. Mr. Snyder explained that the existing six elevators were updated in 1989 and completed a controlled modernization. These elevators are run by rheostats and resistors and new elevators are run by computers. The controls in the existing elevators are obsolete and getting repair parts is difficult and sometimes impossible meaning repair parts must be custom manufactured. The controls for the elevators were originally manufactured in 1956 and updated in 1989. Mr. Willis noted that bid documents are almost complete to renovate and reengineer the six (6) elevators in the building. There is little risk of bodily harm from using the elevators; the greater risk is entrapment. Mr. Obergfell asked how the problems with the elevators were overlooked. Mr. Miller stated that Schenkel Shultz worked under the assumption that the elevators were upgraded in 1989 and assumed the elevators would need normal maintenance. Mr. Leatherman noted that it wasn't until the elevators were being used daily by staff and citizens that it became apparent they were not functioning well. Mr. Leatherman noted that the fund used to pay for the renovation would be Civic Center TIF. This fund has enough money available to pay for the upgrades. Mr. Cox suggested that, because this building has not been a Redevelopment project and the significant amount of money requested, the Resolution should be tabled so that City Council would have an opportunity to comment in relation to the overall scope of the entire project prior to the Redevelopment Commission's vote. A discussion of the Grand Wayne Center debt service ensued because a portion of the Grand Wayne Center debt service is tied to the Civic Center Urban Renewal Area TIF allocation. Mr. Guerin noted that there is a downtown development component to this renovation that is not outside what the Redevelopment Commission has been doing to support the building and its grounds. Mr. Guerin stated that he is cautious about the precedent that would be set by tabling this Resolution for the purpose of City Council review. He also noted that the final decision is that of the Redevelopment Commission and any comments made by City Council would be just comments as to whether they liked the project or not. By deferring the vote, the consequences would be the continued maintenance costs. Mr. Leatherman also noted that the project will take approximately one year to complete, so the payments would be spread out over two TIF allocation cycles. If the Redevelopment Commission doesn't pay for these upgrades, the patch and repair of the elevators will continue. The essential upgrade that will have to eventually be done will be completed over a much longer period of time and repairs will continue until some function completely breaks down. Delay would push out the inevitability of this repair, which, according to Mr. Snyder, would more than likely increase the cost. Mr. Willis noted that taking care of the main lobby elevators is a priority. Mr. Snyder commented that at this time the elevator industry is slow and the City would get a better price on the upgrade now than it might at some future date. He suggested that if the project were bid in the next three months, the savings would be approximately 15% over bidding it at some future date. Mr. Snyder stated that the entire project should be bid as one and not individually over time. Mr. Willis noted that the bank of three lobby elevators must be done at one time because they work as a single unit. The expectation is that there would be bids from four to six companies on the project. Motion to approve by Ms. Wire; seconded by Mr. McElhoe; opposed by Mr. Obergfell and Mr. Cox. Mr. Guerin voted to approve the motion. Motion carried without further discussion.

OTHER BUSINESS

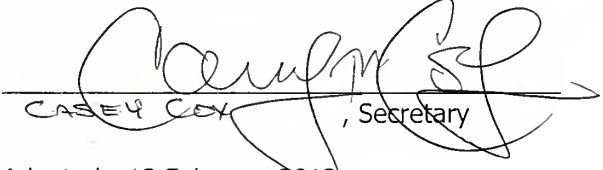
- **Annual Report** – Mr. Leatherman stated that the Annual Report is being assembled but staff is waiting on final numbers from the Controller's Office and from the TinCaps regarding revenues and performance in 2011 and other expenses that have not made their way through the system. There will be a preliminary draft available at the next meeting.
- **Transpoint Intermodal Facility** – Mr. Leatherman has been receiving regular updates from the company. They have reached an agreement regarding their financing package and have engaged an engineering firm. They are working on a number of related projects so they can be ready to announce. They are very optimistic about their ability to get this project off the ground in 2012. The facility will be built in phases.
- **The Harrison** – The Redevelopment Commission completed the removal of fill material on the site pushed in during the construction of the stadium. Most of what was removed with Commission funds was sand and gravel. The developers are now preparing the site for foundations and are pouring concrete. All the financing is on track and announcements regarding the final package will be forthcoming. The developers are confident about the financing as they are using their own funds for site preparation at this time.
- **Midtowne Crossing Parking Spaces** – Mr. Lindsay reminded the Commissioners that the Commission owns the two parking garages at Midtowne Crossing. The spaces in the garage are reserved for owner-occupants and tenants. Staff was approached by the owner of the new Jimmy Johns at the corner of Calhoun and Wayne and asked if any spaces are available for their employee use. The Jimmy Johns' owners asked if the Redevelopment Commission would consider leasing two (2) empty spaces at a discounted rate. Currently the spaces rent

for \$78.00 per space per month. If a resident wanted a space, Jimmy Johns would have to vacate the space since the space would be leased to them on a month to month basis as spaces are available. Jimmy Johns did not receive or ask for tax abatement on the improvements to the space. The proposed discounted rate would be \$50.⁰⁰ per space per month until the space is needed by a Midtowne Crossing resident. Motion to approve by Ms. Wire; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

Mr. Corona asked if it would be possible to incorporate a line item into the budget that would include miscellaneous projects like the elevators so the Commission would know ahead of time that designated money in a certain fund would be available up to a certain amount. Mr. Leatherman responded that he could not have anticipated the elevator repair and each TIF district has either specific placeholders or general placeholders for local matches for Federal or State highway projects. It would have been optimal if there had been a planned program to deal with this repair. Mr. Leatherman stated that staff can help educate and guide the Commission in choices available about where to place its resources; he will do everything that he can to facilitate that. Mr. Leatherman stated that he will be arranging an unofficial planning session where this topic would be very beneficial as a discussion item.

ADJOURNMENT – Motion to adjourn by Mr. Obergfell; seconded by Mr. McElhoe. Meeting adjourned at 5:15 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION


CASEY COX, Secretary

Adopted: 13 February 2012

FORT WAYNE REDEVELOPMENT COMMISSION
Regular Meeting
13 FEBRUARY 2012

TIME: 4:00 p.m.

PLACE: City Council Discussion Room 030, Citizens Square, 200 East Berry Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:00 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Karl Bandemer
Steve Corona

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
P J Thuringer, Redevelopment Manager
Joanne Reising, Administrative Assistant
Tina Bultemeyer, Financial Manager

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: None

ALLOWANCE OF CLAIMS: Motion to allow Claims of December 2011 by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously without further discussion.

APPROVAL OF MINUTES: Motion to approve Minutes of 09 January 2012 Regular Meeting by Mr. Cox; seconded by Mr. McElhoe. Motions carried unanimously without further discussion.

NEW BUSINESS

Mr. Guerin asked that the minutes show the Commission's appreciation of Judi Wire's service noting that her knowledge of planning issues was very helpful to the Commission when making decisions. She will be missed and did a wonderful job as a Commission member. Mr. Leatherman noted that Ms. Wire was always ready to serve and participated fully in all of the meetings.

Election of Officers – Mr. McElhoe made a motion to retain Mr. Guerin as President and nominated Mr. Obergfell as Vice-President and Mr. Cox as Secretary; seconded by Mr. Cox. All nominees accepted. Motion carried unanimously without further discussion.

Resolution 2012-03

Ratifying and approving a Reciprocal Easement Agreement with the City of Fort Wayne, the Fort Wayne Redevelopment Commission and New Harrison LLC

Mr. Shine stated that the Reciprocal Easement Agreement was a closing document. The parties to the Agreement are the Redevelopment Authority, the Redevelopment Commission and The New Harrison LLC. This Agreement addresses the rights the City, the baseball team and The Harrison have regarding easements, access and the working relationship between the two facilities. A document was originally created for the previous developer and this Agreement was partially forged from that Agreement. This Resolution ratifies the execution of the Agreement as was discussed at the January 12, 2012 meeting. Motion to approve by Mr. Cox; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2012-04

Approving an expenditure for the replacement and upgrade of elevator hydraulic control valves

Mr. Thuringer explained that there have been several incidents with the elevators at the Harrison Square parking deck and the Lincoln Event Center. There were 14 days when the elevators were rendered useless because of a hydraulic control temperate compensating valve malfunction. Staff checked with the architect, the elevator service provider and manufacturer and all agreed that the cause of the problem was a valve. It was an unforeseeable occurrence. Before the elevators were constructed, plans were sent to the manufacturer who ascertained what components should be installed in the elevator. The problems centered on heat within the mechanism, occurring mainly when Lincoln's 500 employees are using the elevators. The service provider is confident that replacing the valves will solve the problem and the elevator manufacturer agrees. The costs are for the valves and the installation for all three elevators. Mr. Leatherman noted that because the Civic Center Garage serves the baseball stadium some of those revenues can be used to offset the expense for the repairs at Harrison Square Parking Deck and the Lincoln Center. Motion to approve by Mr. McElhoe; seconded by Mr. Bandemer. Motion carried unanimously without further discussion.

Resolution 2012-05

Ratifying and approving expenditures related to the purchase of properties on Ewing Street

Mr. Leatherman noted that there were three properties purchased adjacent to the properties that the Redevelopment Commission bought on Ewing Street. The properties have been inspected; the asbestos removed and they have been boarded up in anticipation of demolition. The houses will be demolished according the current standard specifications of the Allen County Building Department, which maintains that less than 10% of demolished materials may be left on the premises, the site will be backfilled and the soil compacted and seeded after April 15 when the ground has thawed. Motion to approve by Mr. Bandemer; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2012-06

Continuing certain funds and accounts in connection with the lease dated as of December 1, 2002, as amended, between the Fort Wayne Redevelopment Commission and Fort Wayne Redevelopment Authority for the Grand Wayne Center project and regarding related matters


Mr. Lindsay explained that this document, approved last week by the Redevelopment Authority, sets the stage for refinancing the 2003 Grand Wayne Center bond issue. The reason for considering this now is the fact that the interest rate structure prevailing in the market at this time is much better than in 2003. The City Controller has a preliminary report as of December 2011 that analyzes the savings that could be accomplished by refinancing the Bond. Given the rate structures in place in December, the estimated savings after refinancing costs would be approximately \$1.2 million. Refinancing would not affect the pledges made by the City or the Grand Wayne Center according to the Memorandum of Understanding already in place. With the anticipated savings, there is an opportunity to redeem the Bond early, barring changes in legislation. Mr. Shine stated that refinancing a 25-year bond is very typical. Motion to approve by Mr. Cox; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

OTHER BUSINESS

- Training Session – Mr. Leatherman stated that when Mr. Cox and Mr. Obergfell were first appointed to the Commission, a session was held to discuss processes within the Redevelopment Commission in a more leisurely setting. That session included goal setting objectives. Since Mr. Bandemer has joined the Commission, it seems that another session should be held. Mr. Leatherman suggested a session in late March would give staff time for planning and preparation. The session should last only for a couple hours to accommodate the needs and time allotment of the members.
- Annual Report – The final draft of the 2011 Annual Report is included in the packet of information delivered to each Commissioner. If there are no more corrections, the document will be considered complete and presented to the Mayor. The Commissioners agreed the document should be sent to the Mayor.

ADJOURNMENT – Motion to adjourn by Mr. Obergfell; seconded by Mr. McElhoe. Meeting adjourned at 5:15 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Casey B. Cox, Secretary

Adopted: 13 March 2012

**FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
12 MARCH 2012**

TIME: 4:00 p.m.

PLACE: City Council Discussion Room 030, Citizens Square, 200 East Berry Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:00 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Karl Bandemer

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: Mike Nutter, TinCaps Team President
Tim Burkhart, Director of Facilities, Fort Wayne TinCaps
Rick Samek, Carson Boxberger

ALLOWANCE OF CLAIMS: Motion to allow Claims of January 2012 by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously without further discussion.

APPROVAL OF MINUTES: Motion to approve Minutes of 13 February 2012 Regular Meeting by Mr. Obergfell; seconded by Mr. Bandemer. Motion carried unanimously without further discussion.

NEW BUSINESS

Resolution 2012-07

Approving a budget for expenditures from the Parkview Field Long-term Maintenance Fund for Parkview Field at Harrison Square

Mr. Leatherman stated that the Parkview Field Advisory Board's founding purpose was to recommend the funding of Capital Improvements from the Long Term Capital Fund. That fund contains money from the City's half of the Naming Rights and from the \$1/head above 275,000 attendees. It was determined that since those monies were placed in a City Account, a City body approval is required to authorize the expenditure of those funds. The Advisory Board continues to meet, as called upon, to understand proposed maintenance the TinCaps are contemplating at the Stadium and other activities they are doing on the City's behalf as the manager of our facility; but they can only make recommendations to the Commission when there are items that need to be taken care of to keep the Stadium in the condition that everyone expects. That group met on March 1 and recommended approval for concrete maintenance and repair to the concourse, repair of the sealant on the main concourse and the caulking of concrete on the main concourse of the facility. There have been three previous expenditures from this Fund since the Stadium opened in 2009. The first was undertaken at the end of the first season when it was determined that sealing of the raw concrete on the concourse, that was value-engineered out of the contract, was an oversight and needed to be completed. Mr. Nutter added that the second expenditure from the fund was the addition of lighting near the centerfield amphitheater area for the splash pad in Meyer Park; this was a safety issue. The third was the addition of Wi-Fi connectivity in the Lincoln Financial Center. There were no requests after the second season. Mr. Leatherman noted that the seven members who make up that Board are Rick Henvey of Parkview Hospital; Tory Richardson, representing Visit Fort Wayne; Jason Frier, owner of the TinCaps; Charlie Heiny, representing the DID; Ben Campbell, representing Grand Wayne Center Board; Pat Roller representing the City of Fort Wayne and Christopher Guerin of the Redevelopment Commission. Mr. Burkhart distributed pictures of the concrete that is heaving near the main elevator. The concrete on the concourse it is floating and the pads in front the elevators are stationary. The solution is to pour an epoxy on the existing stationary concrete that would resurface and level it. Mr. Nutter noted that this was not a problem during the past season but has manifested itself during the winter and is now a major tripping hazard. The Risk Management Department of the City has inspected these hazards and noted that the concrete should be repaired before the baseball season begins. Mr. Burkhart stated that over the past three years the caulking between the seams of the concrete has begun to separate. Because approximately 75% of the joint seams have separated, it is appropriate to make these repairs so further separation does not cause a hazard. Doing the caulking will prevent water infiltration and leaking. Mr. Leatherman distributed a proposed partial maintenance schedule that was compiled by the Stadium architects at the time Harrison Square was being constructed. He noted that the team makes recommendations to Advisory Board regarding capital expense items that they feel need to be addressed; the Parkview Field Advisory Board then scrutinizes the proposals and the Redevelopment Commission has the

ultimate task of allowing or disallowing those expenses. Mr. Leatherman distributed two pages from the Stadium Management Agreement; one page lists the maintenance obligations of the City of Fort Wayne and the other the maintenance obligations of the TinCaps organization. Mr. Nutter suggested that his group can put together a proposed list of repairs and items from the matrix that might need to be considered in the next five years. Motion to approve by Mr. Cox; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

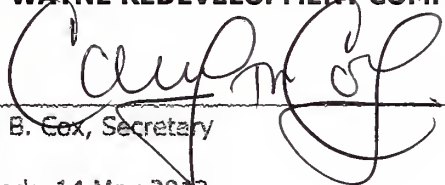
OTHER BUSINESS

- Parkview Field Turf – Mr. Leatherman noted that it seems timely to recommend the total replacement of the sod at Parkview Field. Mr. Samek described the invasion of the Poa Annuua on the turf. He noted that the problem was first noticed as the sod was initially being laid on October 15, 2008. The opening day for team play was in April 2009. As the sod was being laid, it was discovered that subsequent pallets of sod contained Poa Annuua, an annual invasive grass that is short-rooted and tends to die out and become patchy in summer weather. The turf delivered was not what was specified by the architect nor was it the turf selected by the contractor for the field. The timing was such that nothing could be done at that time because the grass needed time to establish itself before Opening Day. The program that was established to fight the Poa didn't work successfully so it was decided to begin litigation against Motz, the installer, because they were the only linkage to Huggett Sod Farm. Because of concessions made by HOK, Motz and Huggett, the Redevelopment Commission is now in a position to approve a recommendation from the Parkview Field Advisory Board to replace the sod in October 2012 for the 2013 season. The TinCaps have agreed to pay $\frac{1}{3}$ the approximate \$135,000.⁰⁰ replacement cost and the Parkview Advisory Board is recommending that the Parkview Field Capital Fund to pay $\frac{2}{3}$ of the replacement cost. A discussion of the life of the stadium turf ensued. Graff Turf Farms, where the new sod will be purchased, is a premier provider of sod for athletic fields. In answer to Mr. McElhoe question regarding the split of the costs, Mr. Leatherman explained that the cost of replacing the field falls entirely on the Capital Fund according to the Stadium Maintenance Agreement. The TinCaps voluntarily stepped up to help pay a portion of the costs because the replacement time frame is shorter than what was projected as the normal lifetime of the field. Mr. Nutter stated that a representative of the team will be in Colorado to inspect and reserve specified turf for the field replacement. A discussion of the litigation against Motz and the bonding company, Hanover, ensued. Mr. Bandemer made a motion to agree to a cost range between \$130,000.⁰⁰ and 140,000.⁰⁰, split $\frac{2}{3}$ and $\frac{1}{3}$ between the Parkview Field Capital Fund and the TinCaps respectively, to reserve the sod for installation in the Fall of 2012; seconded by Mr. Cox. Motion carried unanimously without further discussion.
- Jefferson Blvd. Narrowing – Mr. Leatherman had been asked as Deputy Director of Community Development by the City of Fort Wayne Transportation and Engineering group to discuss the possibility of narrowing Jefferson Blvd. A team of Design Collaborative, LandPlan Group and Engineering Resources, Inc. (ERI) has been studying the design features for the completion of the public infrastructure near the now emerging Harrison mixed-use space and between the edge of the Harrison property and the curb line. Until a month ago, that line was twelve feet more from the center line than it will be because of the announcement by the Mayor, in the State of the City Address, that Jefferson would be narrowed from 4 lanes to 3. Staff is now in the process of deciding who to engage and what the costs might be to redesign the area between Ewing and Webster Streets. Staff must also consider the changes that will need to be made between Harrison and Webster. The roadway westward to Broadway needs to be investigated because that is where the traffic in Downtown begins to go from two lanes to eventually four. Changes between Ewing and Webster will be made this construction year, but staff needs to look at how that impacts the other necessary construction, including on-street parking. This plan will include much more pedestrian space on the sidewalks than is there now. Construction on the sidewalks needs to be started by September. Design Collaborative and other members of the team have provided a guaranteed not-to-exceed amount of \$75,000.⁰⁰ to design the project and produce construction drawings for the area on both sides of the street from Ewing to Harrison Street. A discussion of the conceptual drawing ensued. Mr. Leatherman noted that there are also conversations that need to take place with the Embassy concerning their needs. Both Fairfield and Ewing will become two-way streets and much work must be done to complete the design changes that must take place for a smooth conversion. The design template will be used for this construction that includes both the ribbon of brick and acorn-style lighting. Both the Civic Center TIF and the Jefferson/Illinois TIF can be used to pay these costs. The Commission now has the opportunity to expand and enhance the pedestrian experience in front of Harrison Square. Motion to approve engineering and construction drawings needed prior to construction by Mr. Bandemer; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Mr. Guerin made the comment that vehicular drop off zones will be important to the Embassy and need to be considered when plans are made for that stretch of construction. Mr. Leatherman stated that the Embassy wants to have a drop-off area under roof. Mr. Leatherman assured the Commissioners that the stakeholders will be part of the design process.

ADJOURNMENT – Motion to adjourn by Mr. McElhoe; seconded by Mr. Obergfell. Meeting adjourned at 5:10 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Casey B. Cox, Secretary

Adopted: 14 May 2012

**FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
14 MAY 2012**

TIME: 4:30 p.m.

PLACE: City Council Discussion Room 030, Citizens Square, 200 East Berry Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:30 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
STEVE CORONA

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
P. J. Thuringer, Redevelopment Manager
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: None

ALLOWANCE OF CLAIMS: Motion to allow Claims of February 2012 and March 2012 by Mr. Cox; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

APPROVAL OF MINUTES: Motion to approve Minutes of 12 March 2012 Regular Meeting by Mr. McElhoe; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

NEW BUSINESS

Resolution 2012-08

Approving the collection of Tax Increment from property taxes on real estate located within the Civic Center, Jefferson/Illinois Road, Baer Field, Tillman/Anthony, Lima Road/Ley Road, East Illinois Road, West Highway 30, Lima Wells Fernhill, Adams Township Industrial Area, and Renaissance Pointe Urban Renewal Area tax allocation areas

Mr. Lindsay explained that each year the Redevelopment Commission must petition the Allen County Auditor to receive TIF revenues from active Allocation Areas. Two significant changes are part of this Resolution. Staff is proposing that no tax increment be collected from the Centennial Park Urban Renewal Area and Summit Park Urban Renewal Area for tax year 2013. Funds on hand are sufficient to finance current projects and those that are contemplated for the near future. The other change is engaging the formal process to begin collecting funds from the Renaissance Point Urban Renewal Area and the Adams Township Industrial Area. Neither of these areas creates tax increment at this time. If a major development should happen in the future, it will prompt the collection of tax increment. This Resolution will be the basis of the Notice to the Auditor that will also include a letter and a project list that delineates the major obligations or projects that are contemplated. The delineation includes defining the bond issues and the major projects that tax increment will fund. The Commission continues not to collect increment from Mayville Stelthorn, Illinois Getz and Washington Center/Coldwater Road. A discussion of the Renaissance Pointe Economic Development Area Housing TIF Allocation Area ensued. Motion to approve by Mr. Cox; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

Resolution 2012-09

Approving an acquisition value for real estate located adjacent to the Summit Industrial Park Urban Renewal Area, as amended

Mr. Lindsay noted that these acquisitions from Norfolk Southern and US Railroad Vest will add to the property available for an urban trail that is planned to be built between Washington Center Road and Ludwig Road. Part of the land could be used by other public entities for things such as water lines and other public improvements. Motion to approve by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2012-10

Ratifying and approving expenditures related to the design and creation of construction drawings for the Jefferson Boulevard road narrowing project

Mr. Thuringer explained that provisions within this Resolution were discussed at the March 12, 2012 Regular Meeting. A contract with Design Collaborative has been secured; their subcontractors are Engineering Resources Inc. and The LandPlan Group. These are the same service providers that have been engaged for the Harrison Square and The Harrison projects. They will complete design engineering and construction documents for the area between Ewing Street and Calhoun. They will also complete a conceptual design for the area between Broadway and Ewing. Staff has met with

the stakeholders along Jefferson including the Courtyard by Marriott, The New Harrison LLC and the Embassy. All parties have been very positive about the changes. Construction drawings should be ready for the bid packets in mid to late summer. A right-hand-only turn lane is contemplated from Broadway to Ewing. The largest portion of the lane changes will be in front of The Harrison and continue east to the Embassy. Mr. Leatherman noted that it is likely that the area between Ewing and the Webster Street Plaza will have improvements negotiated between the Commission and The New Harrison since they are already building to that line. Mr. Leatherman stated that the most significant work will be done on the south side of Jefferson; there will be no narrowing on the north side of Jefferson. The only change contemplated on the north side of Jefferson is installation of acorn lighting to match those on the south side. Motion to approve by Mr. Cox; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

OTHER BUSINESS

- Downtown Development – Mr. Leatherman distributed a handout created by John Stafford that outlines the history of the Redevelopment Commission and the creation of the Downtown Improvement District and other organizations responsible for downtown development.
- Grand Wayne Center Refinancing – Redevelopment Commission Staff and associated partners, including the Controller, the City's Associate Attorney and the Capital Improvement Board, were successful in obtaining a more favorable loan rate that reduces the interest over the balance of the life of the bond and saves the Redevelopment Commission approximately \$3.4 million. According to the debt service schedule, the debt will be completely repaid in 2028 but the new payment agreement allows the bond to be retired as early as 2022.

ADJOURNMENT – Motion to adjourn by Mr. Obergfell; seconded by Mr. Cox. Meeting adjourned at 5:00 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Casey B. Cox, Secretary
Adopted: 9 July 2012

**FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
09 July 2012**

TIME: 4:00 p.m.

PLACE: City Council Discussion Room 030, Citizens Square, 200 East Berry Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Obergfell called the meeting to order at 4:00 p.m.

ROLL CALL: Steve McElhoe
Casey Cox
Thom Obergfell
Steve Corona
Karl Bandemer

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
P. J. Thuringer, Redevelopment Manager
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: Kelly Updike, Embassy Theatre
Dale Nysetvold, Courtyard by Marriott Downtown
Ron Dick, Design Collaborative
Kevin McCrory, LandPlan Group
Drew Wellborn, The New Harrison LLC
Tom Werling, Hagerman Construction

ALLOWANCE OF CLAIMS: Motion to allow Claims of April 2012 and May 2012 by Mr. McElhoe; seconded by Mr. Bandemer. Motion carried unanimously without further discussion.

APPROVAL OF MINUTES: Motion to approve Minutes of 14 May 2012 Regular Meeting by Mr. Cox; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

NEW BUSINESS

Resolution 2012-11

Ratifying and approving a budget for the completion of infrastructure for Harrison Square and additional Downtown Fort Wayne public improvements

Mr. Leatherman stated that staff, Board of Public Works and the design team are involved in the completion of several complicated infrastructure projects that are the components of the narrowing of Jefferson Blvd between Webster and Calhoun. The improvements will enhance pedestrian safety on the corridor. Mr. Dick of Design Collaborative stated that other partners on the design team are Engineering Resources, Inc. (ERI) and the Department of Planning Services. Mr. Dick noted that one of the outcomes of the redesign of the corridor would be traffic calming achieved by widening the sidewalks, taking away one lane of traffic but that will create a safer pedestrian experience along the corridor in front of The Harrison, the Marriott and the Embassy Theatre. The quality of the infrastructure improvements would be enhanced and include the same design guidelines that have been established throughout the Downtown. As a part of this project, improvements will be made to the pavement, water lines and other infrastructure. Small enhancements will be made to the area in front of the Grand Wayne Center and the Botanical Conservatory. The design portion of the project began in mid-March 2012 and the construction documents are nearly complete. The work will be coordinated with the construction being done at The Harrison. The goal is to begin construction in early September 2012 and continue into 2013. Mr. McCrory noted that the project scope runs east from Webster (Webster plaza) at the Ballpark, past the Marriott and down to the Embassy, terminating at the Botanical Conservatory. The construction work will be concentrated on the south side of Jefferson. The transition from four (4) lanes to three (3) lanes will begin east of Broadway; eventually the lane just west of Webster will be a right hand only turn lane. The only differences in front of The Harrison are the new lane configuration and some bump-outs and parking areas to accommodate patrons of the nearby businesses. There is a grade change from the sidewalk level to upper promenade level in front of The Harrison. At the Embassy, there will be a drop-off lane for patrons that could also be used for short term parking for the ticket office. The lane nearest the Botanical Conservatory will become a right turn only lane. Kelly Updike of the Embassy Theatre stated that the planned improvements at the theater will alleviate substantial safety issues before and after performances. The new drop-off area would also provide enough space for buses to unload patrons. Dale Nysetvold of the Courtyard by Marriott noted that he fully supports the improvements because of the traffic calming and the potential reduction of noise to the hotel's guests. He also stated that the traffic calming will make the street environment more protected. Mr. Leatherman invited the representatives of The New Harrison LLC to make any statements. Drew Wellborn, representing Simon Dragan and Mark Hagerman, stated their appreciation to the Commission and

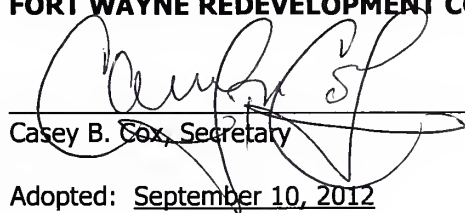
City of Fort Wayne. They feel the new configuration of Jefferson will enhance the project by increasing safety as well as increase pedestrian traffic which will in turn enhance the retail opportunities at The Harrison. Tom Werling of Hagerman Construction noted that the company appreciates the input they had in crafting these plans and the timing of the construction so that the process moves as quickly as possible without rework on the site. Staff feels that the most effective way to manage this project is to have Hagerman assume the role as Construction Manager. Hagerman will make the work competitive to other contractors. Mr. McCrory noted that there is an opportunity to replace a portion of a 100-year old water line; City Utilities concurred with that determination. There is an Agreement being drafted that would allow City Utilities to reimburse the Redevelopment Commission for the construction of the water line. The cost will be approximately \$90,000.⁰⁰ to improve the section from the Webster Plaza intersection to the Embassy. The repositioned waterline would be located in the roadway and not under the sidewalk as it is now. The new sidewalk construction will utilize the Downtown Design Guidelines. Mr. Leatherman reiterated that the acorn lighting fixtures will be replaced on the north side of the street in front of the Grand Wayne Center. Mr. McCrory noted that there will also be new urns, benches and the standard bike racks. Mr. Leatherman denoted the costs involved in the \$1.5 million estimated construction budget as part of the Resolution. The project from Fulton Street to the Embassy Theatre is a feature decided upon after The Harrison was conceived. Ewing and Fairfield will eventually be converted to two-way and it is hoped that other development intensives in that area. It will cost approximately \$650,000.⁰⁰ to add the pedestrian space into the south lane of Jefferson. There is a \$350,000.⁰⁰ place holder to finish out The Harrison infrastructure including the planters, stairs, sidewalk and other amenities in front of The Harrison that is the responsibility of the Redevelopment Commission under the Harrison Square Development Agreement. Additionally, there are costs that fall into the category of finishing Parkview Field and the baseball stadium. The entire concourse could not be constructed until the Harrison was built. The cost of that construction is anticipated to be \$135,000.⁰⁰ and approximately \$25,000.⁰⁰ will be used to install tile to drain the concourse to the sewer system. Because three years elapsed since the construction of Parkview Field was completed and the construction at The New Harrison has begun, there are several repairs that needed to be made including sheeting to stabilize the soil where Webster Plaza is located, repair to some broken PVC piping under the existing decking, repairs to an old lift station. The estimated cost is \$31,000.⁰⁰. The diagonal along Ewing Street that allows a new entrance into the ballpark is included in overall \$1.5 million cost. The costs will be borne by the Illinois/Jefferson and Civic Center TIF allocations. Mr. Werling stated that Hagerman will do the concrete and sidewalk work and bid out the lighting, paving, underground utilities and landscaping. A discussion of traffic calming ensued. Mr. Leatherman noted that an additional nine (9) parking spaces and a drop off area will be incorporated into the design in front of The Harrison. Consideration is being given to having those spaces unmetered and making them "No Parking" from 7:00 a.m. to 9:00 a.m., Monday through Friday. There is other parking available nearby including the lot between The Harrison and Courtyard by Marriott and also in neighboring parking garages. Motion to approve by Mr. Bandemer; seconded by Mr. McElhoe. Motion carried unanimously without further discussion.

OTHER BUSINESS

- **2012-12 - Authorizing the Director of Redevelopment to engage services to design and engineer sidewalk improvements within the Civic Center Amended Improvement Area and to pursue bids for the construction of same.** Mr. Leatherman reminded the Commissioners that the Anthony Wayne Building is under complete renovation and will house upscale condominiums as well as retail on the lower levels. Other City Departments have been involved with this project as well as the Community Development Division. The City has always planned to help with some streetscape improvements. The State of Indiana has allowed the City to add square footage in front of the building from Main to Berry to make the sidewalk safer for pedestrian traffic. Staff engaged The LandPlan Group to analyze the area and that work will cost approximately \$11,000.⁰⁰. Staff believes that an in-house group could be utilized for street and light engineering plans. Because the roadway is a state route, the plans submitted to INDOT may be modified by them. The street will be narrowed to four (4) lanes and the intersection before the narrowing will support a right-only turn lane. Motion to approve by Mr. Bandemer; seconded by Mr. McElhoe. Mr. Obergfell abstained. Motion carried without further discussion.

G. ADJOURNMENT – Motion to adjourn by Mr. McElhoe; seconded by Mr. Cox. Meeting adjourned at 5:00 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION


Casey B. Cox, Secretary

Adopted: September 10, 2012

**FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
10 September 2012**

TIME: 4:30 p.m.

PLACE: City Council Discussion Room 030, Citizens Square, 200 East Berry Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:35 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Steve Corona
Karl Bandemer

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
P. J. Thuringer, Redevelopment Manager
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: Drew Wellborn, New Harrison LLC
Tom Werling, Hagerman Inc.

ALLOWANCE OF CLAIMS: Motion to allow Claims of June 2012 and July 2012 by Mr. McElhoe; seconded by Mr. Bandemer. Motion carried unanimously without further discussion.

APPROVAL OF MINUTES: Motion to approve Minutes of 09 July 2012 Regular Meeting by Mr. Cox; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

NEW BUSINESS

Resolution 2012-13

Ratifying and approving an Easement Agreement between the City of Fort Wayne, the Fort Wayne Redevelopment Authority and The New Harrison LLC

Mr. Leatherman stated that a reciprocal easement agreement has been drafted, with the involvement of attorneys at Faegre Baker & Daniels, from the Fort Wayne Redevelopment Commission, Fort Wayne Redevelopment Authority, the City of Fort Wayne and New Harrison LLC. that essentially deals with the New Harrison and its interaction with Parkview Field and Hardball Capital, the Redevelopment Commission's licensee and manager. The TinCaps and Hardball Capital have rights under the License and Management Agreements. The Easement Agreement deals with use of space both above and below ground, including underground parking, signage issues, use of the concourse, fireworks and a multitude of other amenities used by both the TinCaps and the New Harrison. There are two easement uses to be discussed in the Agreement. One is to confirm the use of the space at the east-end of the Harrison for a yet to be announced restaurant/bar. An agreement has been reached to have some outdoor dining on the area between the building and the concourse. This area is not part of the concourse and not subject to the License Agreement. There have also been discussions with Hagerman concerning the geo-thermal component of the Harrison project that would use an area on the plaza to complete the geo-thermal loop. Mr. Werling described the open loop installation and well system. Mr. Werling also stated that there will be no compromising the ground water with this system. There will almost no indication of the well head on the plaza or the concourse. The area around the well head will be landscaped with mature plants to make it less conspicuous and will intrude onto the landscape about 10 inches high. There will be a 4 foot fence surrounding the well head area and will be the constant with the fencing around Parkview Field. A discussion of the landscaping options ensued with emphasis on the dining area. Mr. Shine noted that all the costs of the revised landscaping would be a cost to the developer. All the pumps and other equipment are inside the building and would not be easily accessible to any vandalism. Motion to approve by Mr. Bandemer; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

OTHER BUSINESS

- **The New Bloom** – Mr. Guerin stated that FAME, under the guidance of a local artist, created a concept for a 20 foot tall stainless steel sculpture that would be placed in Meyer Park at Parkview Field. The initial cost of the sculpture was \$300,000.⁰⁰. The group has secured some funding and now needs to raise the final \$70,000.⁰⁰. Mr. Guerin feels that the Redevelopment Commission should participate in the final contribution at some level. He believes the installation would bring people Downtown to view it, particularly at night. Mr. Guerin suggested that the Redevelopment Commission could participate by preparing the site

in some way. He asked that staff research the possibilities and report to the Commissioners at next month's meeting.

- **Jefferson Blvd Streetscape:** Mr. Thuringer noted that Jefferson Blvd. improvements are now under construction. The bids were opened on August 23 and were very responsive. The bids were slightly under the \$1.5 million estimate. There might be some efficiencies that could further lower the construction costs. When streets are under construction there is always a possibility of discovering some unforeseen problems. The project is on schedule. Staff anticipates substantial completion of the hardscape by the end of the year.
- **TIF Infrastructure Improvements:** Mr. Leatherman stated that during the last month four requests to either the Redevelopment Commission or Alliance staff have been received. Two of the projects are at the Menard-owned former Seyfert's site in the Lima/Ley Economic Development Area. The second sites of interest are in Airport Industrial Park along Ardmore and Airport Expressway. The projects at the Menard/Seyferts site are the Kelley Chevrolet dealership and Costco. The Kelley site is closest to I69 and requires an access road from Ley Road. Because there is very little Tax Increment being generated at this time, the situation mirrors the development of Canlan Ice at Wells and Fernhill in the Lima/Ley Economic Development Area. The developers have agreed to install the necessary infrastructure to support their businesses, primarily an access road. Since a car dealership is not eligible for tax abatement, Mr. Leatherman proposed the Redevelopment Commission could reimburse the developer through Tax Increment as it is generated for eligible public infrastructure they will be constructing. The developer is asking for a written document that states that, as they pay property taxes, the income from those taxes will be used to reimburse the dealership for the expenses incurred for the building of the road if they construct it according to City specifications and standards. Mr. Leatherman envisions that the same scenario would be asked of the Commission by Costco as they build the public infrastructure necessary for their customers to access the store. At the Airport sites, the companies are not far enough along in their evaluation process to want their names publically announced. The sites are in a TIF area that has a cash balance. Discussions with those developers have included reimbursement for roads, water and sewer hook-ups, and all reasonable prorata shares of the overall private investment that they are proposing. They are at a point in their decision-making process that requires a written commitment. Mr. Leatherman asked the Commissioner's approval for him to write Letters of Intent that describes the commitment by the Commission to reimburse for public infrastructure costs initially borne by the developers. Mr. Leatherman stated that there are estimates for the \$2.0 million project that delineates the investment and asks for approximately \$71,000.⁰⁰ in assistance with water and sewer. The other project is a very large warehousing facility on approximately 40 acres of land. The costs associated with that project would be excel/decel lanes on Ardmore. The infrastructure costs are estimated to be \$500,000.⁰⁰ to \$750,000.⁰⁰ for a project that will involve 10s of millions of dollars and a significant number of jobs. The commitment letters would explain that these reimbursement funds would come from Tax Increment paid by property taxes. These sites are still in the evaluation process and the letters would help them decide on which site of the several they are considering would best suit their needs. Mr. Shine suggested that any letter to a developer would contain a list of assumptions that states the developer has advised that they intend to build a certain number of square feet at a certain cost and they are asking for assistance with certain infrastructure costs conditioned on stated facts. Kelley and Costco would be reimbursed from TIF revenues generated by the development. If Costco does not locate there the cost of the road would be borne by Kelley. A discussion of the Kelley/Costco site and the reworking of the Raytheon access road ensued. Mr. Leatherman noted that a letter from him to the developers at the proposed site in Baer Field Industrial Park would include language that any payments for infrastructure would be consistent with past practices regarding TIF reimbursements. The process that includes the letter writing would be contingent on the Redevelopment Commission being able to give the company assurances regarding the reimbursement for the infrastructure they would build on the City's behalf. The assurance is part of the economic development evaluation process for the developers of the proposed Baer Field site as they compare sites in the area. The reimbursement will be paid by the taxes paid by the developer as those taxes are received by the Auditor and forwarded to the Redevelopment Commission. All roads will have to be built to City standards. Mr. Leatherman suggested that the language include the ability of the Executive Director to enter into guarantees to reimburse public infrastructure to be built by the private developer if certain criteria are met. Motion to approve the Redevelopment Commission Attorney to draft proper language that allows the Executive Director to enter into necessary negotiations that are consistent with prior commitments made by the Commission by Mr. Bandemer; seconded by Mr. Obergfell. Motion carried without further discussion.

G. ADJOURNMENT – Motion to adjourn by Mr. McElhoe; seconded by Mr. Cox. Meeting adjourned at 5:20 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION


Casey B. Cox, Secretary

Adopted: October 13, 2012

**FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
15 October 2012**

TIME: 4:00 p.m.

PLACE: City Council Discussion Room 030, Citizens Square, 200 East Berry Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:00 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Karl Bandemer

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
P. J. Thuringer, Redevelopment Manager
Joanne Reising, Administrative Assistant

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: Lori Keys, Aboite New Trails
Mitch Harper, 5th District Councilman

ALLOWANCE OF CLAIMS: Motion to allow Claims of August 2012 by Mr. McElhoe; seconded by Mr. Cox. Motion carried unanimously without further discussion.

APPROVAL OF MINUTES: Motion to approve Minutes of 10 September 2012 Regular Meeting by Mr. Cox; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

NEW BUSINESS

Resolution 2012-15

Approving a Memorandum of Understanding regarding the funding of the Grand Wayne Center expansion project between the Fort Wayne Redevelopment Commission and the City of Fort Wayne

Mr. Leatherman reminded the Commissioners of the meeting with John Stafford of the Community Research Institute regarding the Grand Wayne Center debt service and its refinancing. At that time a proposal was approved by the Commission to replace the City's \$435,000.⁰⁰ CEDIT debt service pledge for two years and replace that amount with Civic Center TIF dollars. The intention was that the City could deploy those CEDIT funds for other projects or requirements. This body reimbursed the City for money contributed in 2011 and agreed to fund the 2012 pledge amount. The recommendation from Mr. Stafford was that the Redevelopment Commission revisit the CEDIT financing every two years. At this time, the Redevelopment Commission is being asked to consider continuing replacing CEDIT dollars with TIF dollars for another two years. After Staff completed a financial review, it is the option of Staff that that the City's annual CEDIT contribution for 2013 and 2014 could be made on behalf of the City from the Redevelopment Commission's Civic Center TIF fund. The financial structure will be analyzed at the end of 2014 and Staff recommendation will be made as to the viability of the Civic Center TIF fund and its ability to finance additional CEDIT contributions. Motion to approve by Mr. Bandemer, seconded by Mr. Cox. Motion carried unanimously without further discussion.

Resolution 2012-14

Declaratory Resolution – Coventry Lane Economic Development Area (EDA)

Mr. Leatherman reminded the Commissioners that some of the members have not been through the process of establishing an Economic Development Area. This proposed Economic Development Area encompasses the Village of Coventry area and the Economic Development Area would serve the retail center and the adjoining neighborhoods. One of the problem areas includes the Liberty Mills Road corridor and the lack of trails and sidewalks serving the retail center and residents. The development that will generate the Tax Increment is the expansion of the Kroger to Village of Coventry. There are several steps in the Economic Development Area process which includes the Planning Commission's agreement that the proposal complies with the Comprehensive Plan. The plan must be approved by Common Council and then it will return to this body for a Public Hearing and Confirmatory Resolution. The Economic Development Area plan has a limited scope that considers just transportation issues. It is estimated that between \$140,000.⁰⁰ and \$150,000.⁰⁰ of Tax Increment will be generated by the construction that has occurred. These would be additional property taxes that have not been collected by any entity in Allen County. All the taxes that had been collected will continue to be generated and spread through all the various governmental units. Only the increased revenue generated by the new development will be captured as TIF revenue. After collecting the Tax Increment, the Redevelopment Commission should be able to fund new trails in Aboite Township.

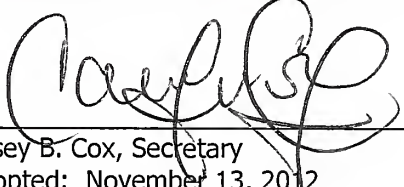
Mr. Leatherman introduced Lori Keys, Executive Director of Aboite Trails, who gave an overview of trails in the area, how the new trails fit into the system and the associated costs. Ms. Keys stated that Aboite Trails is a non-for-profit corporation formed 2003 with the goal of addressing safety, connectivity, health and quality of life in Aboite Township. She explained the origins of the organization. There are now 20 miles of trails in southwest Allen County. The goal is to continue to expand the trail network and be more connected with the Fort Wayne/Allen County trails system. Ms. Keys noted that the described section of Liberty Mills Road is the area where the most complaints are received. There have been four engineering studies, some in process, that analyzed the area from the intersection of Liberty Mills Road and Homestead Road running east to Falls Drive. Another problem in the area is the lack of ADA accessibility throughout The Village at Coventry. Right-of-way access has been acquired on western half of trail section between Homestead and Middlegrove Roads. More right-of-way will need to be acquired, engineered and constructed along the east side of the road. Councilman Mitch Harper expressed his interest in the trail system and stated that this section of the trail is the most dangerous. He noted that this area receives a lot of foot traffic and is used to get to the Public Library and the shopping center. Because of the hilly nature of the road, there are at least two places where it is almost impossible to see pedestrians or bicycles traveling there. There is now a requirement that any new development along Liberty Mills Road must install a trail but there isn't any identifiable funding available for the construction of the trail system in that area. Mr. Harper believes that expanding the trail meets all the qualifications imposed by TIF legislation. He had discussed with Mr. Leatherman the possibility of amending the area so that improvements could be made to connect the proposed trail to those at Aboite Center Road. The site of the former Kroger store is not within the City limits and therefore not eligible for City improvements. Ms. Keys noted that right-of-way has already been purchased for the proposed trails but estimates for the construction are out of date. A discussion of expansion possibilities, public support, fundraising and tax increment generated ensued. Mr. Leatherman noted that all of Liberty Mills Road is included in the Economic Development Area. Additional area can be added to the Economic Development Area, following the approval of the Plan Commission and City Council, during the discussion phase of the Confirmatory Resolution. Mr. Harper additionally suggested that some investigation should be made regarding extending the trail system from Baer Field to Ardmore using Baer Field TIF money. Motion to adopt the Declaratory Resolution by Mr. Bandemer; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

OTHER BUSINESS

- **Summit Park II Listing Agreement** – Mr. Leatherman stated that the Commission had a listing agreement with a local real estate firm to market Summit Park II. It had endured on a month-to-month basis for approximately two years but the agreement has been terminated. The listing agreement provided a 6% commission to commercial/industrial brokers. The Commission has great marketing partners with the Alliance, as well as other local City Economic Development staff. Mr. Leatherman asked the Redevelopment Commission members to consider a flat fee for brokers who bring buyers to Summit Park II instead of awarding a 3% commission. The Alliance is essentially the marketing arm for the Redevelopment Commission. Mr. Shine suggested that at this time, the Redevelopment Commission is better served by marketing the properties through our own economic development partners. A discussion of the pricing of the property ensued. Mr. Leatherman encouraged the Redevelopment Commissioners to get in touch with him concerning this issue.

ADJOURNMENT – Motion to adjourn by Mr. Obergfell; seconded by Mr. Cox. Meeting adjourned at 5:00 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Casey B. Cox, Secretary
Adopted: November 13, 2012

**FORT WAYNE REDEVELOPMENT COMMISSION
SPECIAL MEETING
13 NOVEMBER 2012**

TIME: 4:00 p.m.

PLACE: Community Development Training Room, Citizens Square, 200 East Berry Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:01 p.m.

ROLL CALL: Christopher Guerin
Steve McElhoe
Casey Cox
Thom Obergfell
Karl Bandemer

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
P. J. Thuringer, Redevelopment Manager

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: Ed Welling, Grinsfelder Associates
Todd Pelfry, History Center
Robert Nern, History Center

ALLOWANCE OF CLAIMS: Motion to allow Claims of August 2012 by Mr. Cox; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

APPROVAL OF MINUTES: Motion to approve Minutes of 12 October 2012 Regular Meeting by Mr. McElhoe; seconded by Mr. Bandemer. Motion carried unanimously without further discussion.

NEW BUSINESS

OTHER BUSINESS

- **History Center Renovations** – Mr. Leatherman noted that other entities may come before the Redevelopment Commission regarding funding for their renovation projects. Mr. Pelfry explained that the Allen County Historical Society was founded in 1921 and from 1927 until 1975 was housed at the Swinney Homestead. In 1975, the History Center was moved to the former City Hall at 302 West Berry Street. The building was rehabilitated and reconfigured to accommodate the space for Galleries and office space. The City and the Historical Society entered into an Agreement in 1980 to maintain the space in perpetuity as a Museum. If the History Center would no longer need the space, the building would revert to City ownership. In 2008 the City gave the History Center a grant of \$1.2 million for the installation of a geo-thermal heating and cooling system. The Redevelopment Commission has funded the rehabilitation of the lane between the building and the principal parking lot, the alley bisecting the block from west to east, work performed in the 1980s on the Barr Street Market and recently sidewalks and curbs, repaving of the western portion of the Market and lighting along Barr and Wayne Streets. The History Center received façade grants for installation of multi-colored spot lights on the primary turret on the northwest side of the building and a pledge to replace all the deteriorating awnings on the first floor of the exterior with period-appropriate pieces.

The History Center has raised approximately \$2.5 million for restoration. This included renovating the former City Council Chambers, an upgrade to the permanent Exhibit Gallery. The second phase, which is estimated to cost approximately \$3 million, will include stabilization efforts and expansion of new Gallery treatments throughout the Museum. Mr. Nern explained that the window replacement has the most significant long term benefit. Most of the wooden sashes and frames have experienced severe deterioration. The heating and cooling loss is significant. Additionally, the windows have no sun-blocking protection and this causes wear and fading on the carpets and other treatments. The plan is to replace the existing windows with ones that will make the facility more energy efficient and match the profile and dimensions of the old windows. Those improvements would maintain the historic integrity of the building. The estimated replacement cost of 115 windows (including basement windows) and frames is approximately \$400,000.⁰⁰. A discussion of the windows, sizes, custom installation and timing ensued.

Mr. Nern reminded the Commissioners that the Barr Street Market sits directly behind the Center and was a bequest from the City. It is used frequently by the Community for such things as the summer farmers' market and as a place for people to enjoy an open air venue in an attractive setting. The Young Leaders of Northeast Indiana (YJNI) is committed to continuing their support of the Saturday market. The surface is uneven and inherently

dangerous. The initial plan involves laying a concrete pad onto which the existing brick would be attached by concrete sand with a sand dusting. That area is approximately 12,000 square feet and the cost to complete the renovations is estimated to cost \$240,000.⁰⁰.

The third renovation under consideration is roof repair. The existing slate roof was put on in 1987 and is mostly in good shape. Some of the tile pieces have slipped and fallen into the gutters. Usually this type of displacement is due to rusted fastening devices used to secure the tiles. Additionally, several pieces of the slate are cracked or missing and need to be replaced before they generate more damage to the roof. Before replacing the roof, the roof structure needs a thorough investigation to determine where leaking is taking place. The estimated cost is between \$25,000.⁰⁰ and \$30,000.⁰⁰.

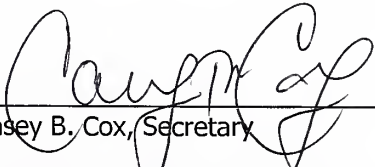
Mr. Pelfry noted that the space used for permanent display is only 12% of the building. This configuration is necessary because of the space needed for the educational format of the Center. He noted that some artifacts will be stored in a new 10,000 square foot warehouse that has been recently purchased. The plan is, in the next two to three years, to move all of the areas in the facility that are currently used for artifact storage to the new warehouse and open new areas at the Center for the expansion of the permanent exhibits. A discussion of other possible funding sources ensued.

Mr. Leatherman stated that no Resolution is available at this meeting as it is anticipated that other requests of this nature will be forthcoming. There is no definitive answer to the question regarding what projects are eligible for TIF funding. Previous expenditures have had commonality: Public Purpose vs. Private Use and Capital Expenditures vs. Maintenance Expenditures. Past projects have been able to define the renovations as Capital Expenditures. These requests would probably have to be court-tested and precedents would need to be investigated. Mr. Leatherman stated that he expects the Administration to ask the Redevelopment Commission to participate with funding of projects because of the City budget reductions. The Associate City Attorney feels that the requests made by the History Center are very acceptable. The final decision must come from Redevelopment Commission. Before the Redevelopment Commission undertakes any action, Mr. Guerin asked for a written legal opinion that states the proposition before this body is appropriate and why it is appropriate. Mr. Cox concurred that a legal option is needed. Mr. Lindsay noted that the Redevelopment Commission has previously assisted the Baker Street Train Station, the Hall Arts Center (Cinema Center) and the Canal House building on Superior Street in the 1990s. Mr. Leatherman suggested that Staff present the findings at the January 2013 meeting.

- **Indianapolis Road Project** – The parties that were looking at a site in the Baer Field Industrial Park have chosen to locate elsewhere. Another project, Old Dominion Trucking is planning to build north of the Coca-Cola plant on Smith Road. There are water and sewer lines that need to be extended to the site. The investment by the company is \$6 million and they plan to increase their workforce once they are operational at the site.
- **Progress Road** – There are access roads that need to be built to service Kelley Chevrolet and Costco. The plan is to use the tax increment generated by the development to pay the costs. Several month ago, a commitment was made to the Board of Works that the Redevelopment Commission would help fund improvements that include right-of-way, accel/decel lanes and signalization on Ley Road that are estimated to cost between \$600,000.⁰⁰ and 700,000.⁰⁰. There have been some TIF funds generated by the hotel across Lima Road. At this time, there are insufficient funds to fund all of the needed improvements. The City will have to commit some CEDIT dollars to assist with these improvements and repayment from tax increment generated by the new development.
- **Edy's Ice Cream** – Edy's would like to have a second dedicated center turn lane on Wells Street north of the existing center turn lane. The cost would be approximately \$50,000.00 and construction would begin in Spring 2012. Edy's generates significant Tax Increment.
- **Getz Road** - BioLife, a plasma-gathering operation, plans to build a new facility, similar to the one on Coldwater Road, on Getz Road between Illinois and Covington. The building will cost approximately \$4.5 million and create 70 new jobs (no relocated jobs) and will have a \$2.5 million payroll, approximately \$36,000.⁰⁰ per job. They will not request tax abatement. They need \$30,000.⁰⁰ to help build sidewalks along Getz Road.

ADJOURNMENT – Motion to adjourn by Mr. Obergfell; seconded by Mr. McElhoe. Meeting adjourned at 4:58 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Casey B. Cox, Secretary

Adopted: December 10, 2012

**FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
10 December 2012**

TIME: 4:00 p.m., immediately following the Executive Session

PLACE: City Council Discussion Room, Suite 030, Citizens Square, 200 East Berry Street, Fort Wayne, IN 46802

CALL TO ORDER: Mr. Guerin called the meeting to order at 4:01 p.m.

ROLL CALL: Christopher Guerin
Casey Cox
Thom Obergfell
Karl Bandemer

STAFF PRESENT: Greg Leatherman, Executive Director
James Lindsay, Redevelopment Specialist
P. J. Thuringer, Redevelopment Manager
Tom Cain, Senior Urban Designer

COUNSEL PRESENT: Larry Shine, Associate City Attorney

OTHERS PRESENT: Dawn Ritchie, Trails Manager

ALLOWANCE OF CLAIMS: Motion to allow Claims of October 2012 by Mr. Bandemer; seconded by Mr. Cox. Motion carried unanimously without further discussion.

APPROVAL OF MINUTES: Motion to approve Minutes of 13 November 2012 Regular Meeting by Mr. Cox; seconded by Mr. Obergfell. Motion carried unanimously without further discussion.

NEW BUSINESS

Resolution 2012-16

Approving Supplemental #1 for civil engineering and design for the Illinois Road trail and sidewalk project

Mr. Leatherman stated that Tom Cain and Dawn Ritchie will present some changes to the scope of services for both sidewalks and trails along Illinois Road. Ms. Ritchie reminded the Commissions that the design of this project includes building a trail and sidewalk along Illinois Road from Rockhill Park and heading west to Magnavox Way. The internal team has been working the ERI. As the planning for this project developed, the team became aware of some areas that were underperforming along Illinois Road. City Utilities has also identified drainage that is problematic in the area. The roadway was designed with shoulders and the team would like to design a more urban corridor with curbs and gutters and trees as part of the Gateway Plan for the City. ERI would be asked to do a curb and gutter analysis for the corridor. They will be asked to do a drainage analysis to provide an opinion regarding probable construction costs. ERI was also asked to review the trail design to ensure compatibility with the construction of drainage improvements in the area. Changes might need to be made to the portion of the trail that would abut Jefferson Pointe if the property owners are in agreement with possible realignment designs. The additional services are not to exceed \$125,160.⁰⁰, bringing the total \$179,515.⁰⁰. Tom Cain stated that Illinois Road was originally built by INDOT as a rural highway US14. Since it has become a more urban corridor as development has occurred, the type of street there no longer serves urban interests. Pedestrians and bicyclists who use that road reveal the need for a more urban friendly transportation corridor. As a gateway corridor, Illinois road does not give a positive first impression to visitors. The proposal is to build a roadway and trail system that provides more value to the citizens and approaches the problems on multiple levels instead of approaching the roadway issues independently. At this time, ERI is working to design improvements on the City-owned right-of-way on the east side of I69 and not trying to deal with the implications inherent in State right-of-way and the interchange restricted access zone issues on the west side. That will set the stage with INDOT to complete the trail on the west side in a more cooperative manner. A discussion of the Wendy's formerly located on West Jefferson where the trail ends ensued. Motion to approve by Mr. Bandemer; seconded by Obergfell. Motion carried unanimously without further discussion.

OTHER BUSINESS

- Ewing & Fairfield properties. Mr. Leatherman began the discussion by noting that approximately three years ago Redevelopment Commission staff was approached by owners of National Oil property directly across from the ballpark on Ewing Street. Knowing that it was in the best interest of the City and also knowing that a staging area for the construction of The Harrison was needed, staff entered into an Option Agreement. A decision was later made to attempt to secure contiguous real estate. The cost of the National Oil parcel was approximately \$16.40 per square foot for 1.2 acres. Mr. Leatherman noted that he had received calls from property owners bordering Fairfield offering to sell their properties. Mr. Leatherman stated that the Redevelopment Commission was not acquiring property at that time, but notes were taken regarding property owners willing to sell their land. The

Redevelopment Commission was not in a position to proceed with the purchase of additional properties. In the past four to five months, Mr. Leatherman has contacted property owners on the list and others not listed. Staff has been able to obtain Options on an approximate additional 2.7 acres, which is essentially the bulk of the entire block between Fairfield to Ewing and Jefferson to Brackenridge. The exceptions to the Options are the Shell Station on the northwest corner, J&M Auto Repair on the northeast corner and one rental property on the far southern portion at Brackenridge. The J&M owners have been working with Staff and have hired an attorney. They are at a point where they feel they would like to sell the property. There are some underground issues and brownfield testing has already begun. There will be some kind of deduction from the value of the real estate because of the environmental issues that exist on the property. An appraisal on that property is warranted before any more action is taken. The purpose of these acquisitions is the elimination of blight and to increase the tax base in the downtown area. The majority of the properties optioned are rental properties (there is one owner-occupied property). Approximately half of those rental properties are boarded up and have serious code violations. The commercial properties on Brackenridge have been vacant for some time. The total amount of the property taxes for tax year 2011 paid by the properties intended to be purchased is \$14,000.⁰⁰. As an example, the total property taxes paid by Belmont Beverage and the Christoff parking lot at the time of acquisition were \$5,800.⁰⁰ annually. When the tax abatement fully rolls off, the Courtyard by Marriott will be paying \$450,000.⁰⁰ annually. The commercial entities that comprised the footprint of The Harrison paid \$14,000.00 at the time of acquisition. The Harrison will pay between \$350,000.⁰⁰ and 400,000.⁰⁰ annually. Staff feels strongly that residential development is the preferred use for the property, but other ideas are welcome. Residential is the most likely use based on the Zimmerman/Volk Study. Mr. Thuringer gave an overview of the study updated in 2010. The study noted changing demographics and rising energy costs as drivers of people to the Downtown area. The two most populous generations are the one or two person households, the Baby Boomers and Millennials. Sixty Four percent of the households in Fort Wayne are one or two person households and 65% of existing housing is single family homes. Zimmerman/Volk estimated that 60% of the people who would move downtown would be from Fort Wayne, 11% from Allen County, 2% from the region, and 23% from the remainder of the US. From that projection, they estimated the potential need for new housing stock Downtown was 1,480 households. Empty nesters and retirees are estimated to make up 16% of the potential buyers or renters, traditional and non-traditional families would be approximately 11% and 73% would be younger singles and couples. The Volk/Zimmerman housing mix preference would be 770 rental households, 500 condominium households and 210 for sale row houses or duplexes. Rental lofts or apartments are what staff foresees for the area between Ewing and Fairfield. According to the study, 39-77 units should be able to be rented downtown annually. As the economy recovers, the potential units might be between 116-154 units annually. Mr. Leatherman noted that the developers of the Anthony Wayne Condominiums relied heavily on the findings of this Study. They found the Study to be accurate. Other development groups have used the study to estimate residential housing potential. When considering real estate absorption, both the Anthony Wayne Condos and The Harrison apartments feel they are ahead of schedule. The geographic footprint of the study area is between Broadway and Clay to the west and east and the river to the north and the railroad track near Brackenridge to the south. Mr. Leatherman also noted that there has been an announcement concerning a tax-credit finance project for the Randall Building on Harrison Street that will contain 44 new units. The developers are waiting for the award to be distributed from the State before that project can go forward. There are other buildings downtown that are under Option or are seriously being considered for residential units. The other option for real estate near the Harrison Square development would be additional retail but there needs to be a more critical mass of residents before that will fully develop. Two developers have been talking to Staff about establishing rental properties downtown in the row house style with green space behind.

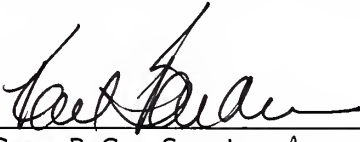
Mayor Henry formally announced the conversion of Ewing and Fairfield to two-way traffic, which is anticipated to beautify those corridors but also give greater accessibility both north and south for further development. At the present time, the changes are not anticipated to significantly alter the curb lines. The improvements will include lighting, sidewalks and curbing.

In answer to a question posed by Mr. Cox, Mr. Leatherman stated that he and Mr. Bandemer have identified a list of projects both completed and anticipated that have been announced in the downtown area since the completion of Harrison Square. The list includes the \$12.5 million investment by St. Francis, the Anthony Wayne condominium project, the Indiana Tech Law School adding 600 more students to the downtown area, the \$2.5 million investment in the Dreibelbiss Building, the \$4 million CitiLink Transfer Station, the Calhoun Street residential/restaurant development, the grocery/deli that has been announced on Wayne Street near the Library, the Randall Building project and several others that are not yet ready to be announced. The catalytic effect seems to be working and can be attributed in part to the completion of Harrison Square. He also stated that the depth of the property that the Redevelopment Commission owns on Ewing Street is only 150 feet. The developers of that property will expect a significant buy-down on the cost of the land, but no additional subsidy

is anticipated beyond the land. The taxes paid on the land considered for this development is not in a TIF area and 100% of the new taxes generated will flow to the general tax base, not to the Redevelopment Commission. The considerations for purchasing this land include cessation of growth, blight, and proximity to the Harrison Square development. If left alone, these properties could develop into something less desirable than residential housing. Mr. Bandemer suggested that reasons for developing those parcels of land go beyond just providing housing but include the development of amenities to support the people who are living and working Downtown. He noted that developers have a choice where to build. It is easier to build on a Greenfield than it is in a downtown environment. Incentivizing developers to build downtown is way of leveling the playing field. A discussion of downtown housing development opportunities ensued. Mr. Cox asked for a projection regarding the increase in taxes that might be paid on the Ewing/Fairfield properties when a new development is completed. Mr. Leatherman asked the Commissioners to consider making a motion to appraise the properties under Option. Offers to Purchase are more than what Staff anticipates the appraised values to be. The appraisal process will probably take 6 to 8 weeks until completion. In the meantime, Staff will draft templates for a RFP for development of the site and calculations on the estimated increase in tax increases caused by the development. Property transfers could not happen before April or May 2013 because of the process. Motion to approve obtaining appraisals on the properties optioned on Ewing & Fairfield by Mr. Bandemer; seconded by Mr. Cox. Motion carried unanimously without further discussion.

ADJOURNMENT – Motion to adjourn by Mr. Obergfell; seconded by Mr. Cox. Meeting adjourned at 4:45 p.m.

FORT WAYNE REDEVELOPMENT COMMISSION



Casey B. Cox, Secretary *ACTING*
KARL BANDEMER,
Adopted: 14 January, 2013

TO LOCK
PERMANENTLY

← Push down spur
with a blunt
instrument. →

